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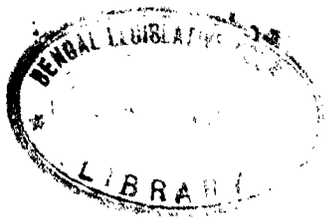

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B. S. Press—11-4-1918—3294J—350—E. C

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Tuesday, the 23rd January, 1917, at 11 A.M.

Present:

His Excellency the Right Hon'ble THOMAS DAVID, BARON CARMICHAEL OF SKIRLING, G.C.I.E., K.C.M.G., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble MR. P. C. LYON, C.S.I., *Vice-President.*

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA, K.C.I.E.

The Hon'ble MR. N. D. BEATSON BELL, C.S.I., C.I.E.

The Hon'ble SIR S. P. SINHA, KT.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. J. DONALD.

The Hon'ble MR. H. H. GREEN.

The Hon'ble MR. H. L. STEPHENSON, C.I.E.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR.

The Hon'ble DR. NILRATAN SARKAR.

The Hon'ble MR. J. MACKENZIE.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. PROVASH CHUNDER MITTER.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BRAJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble BABU ARUN CHANDRA SINHA.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI, C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. A. BIRKMYRE.

The Hon'ble MR. E. B. EDEN.

The Hon'ble MR. H. R. A. IRWIN.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble MR. A. RASUL.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

LIST OF BUSINESS—ITEM No. 1.

OATH OR AFFIRMATION OF ALLEGIANCE.

1. The Hon'ble MR. H. L. Stephenson, C.I.E., made an Oath of his allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.

STARRED QUESTIONS.

By the Hon'ble the MAHARAJADHIRAJA BAHADHUR OF BURDWAN :—

Legislative Council meetings in Calcutta during the months of June and September.

* 1. Will the Government be pleased to state the number of meetings of the Bengal Legislative Council held in Calcutta each year, since 1906, during the months of June and September?

Answer by the Hon'ble MR. KERR :—

"During the period in question, meetings were held in Calcutta in June in one year only, that is to say, in 1913. Meetings were held in Calcutta in September in the years 1907, 1908 (twice), 1913, 1914, 1915 and 1916."

By the Hon'ble the MAHARAJADHIRAJA BAHADUR OF BURDWAN :—

Legislative Council meetings at Darjeeling.

* 2. (*a*) Will the Government be pleased to state the number of meetings of the Bengal Legislative Council held at Darjeeling since the year 1900, mentioning the dates on which such meetings were held?

(*b*) Will the Government also be pleased to state the amount expended each year, since 1900, for the travelling and halting expenses of the Members who attended the meetings of the said Council at Darjeeling?

Answer by the Hon'ble MR. DONALD :—

"(*a*) One, on the 16th June, 1909.

"(*b*) The figures are not available, but there were only two non-official members present at the meeting referred to above, and as it is probable that both these members were resident in Darjeeling at the time, it is also probable that the expenses, if any, on account of their attendance were very small."

By the Hon'ble the MAHARAJADHIRAJA BAHADUR OF BURDWAN :—

Expenditure in connection with the Dacca exodus.

* 3. Will the Government be pleased to state what expenses have been incurred each year since the territorial changes of 1912 up to date—

(*i*) on His Excellency the Governor's visits to Dacca, showing separately in detail the travelling and halting expenses of His Excellency and staff as well as those of other officers and offices that proceeded to Dacca on such occasions;

(*ii*) towards the payment of the travelling and halting allowance to the Members of the Bengal Legislative Council for attendance at meetings held at Dacca?

Answer by the Hon'ble MR. DONALD :—

"(*i*) Travelling expenses incurred by His Excellency the Governor and his staff on account of His Excellency's visits to Dacca approximately amounted to—

	Rs.
1912-13	16,757
1913-14	28,698
1914-15	14,960
1915-16	30,682
1916-17	18,472

Expenses incurred by the Civil and Public Works Department Secretariats and by several Heads of Departments in connection with the move to Dacca amounted to—

	Civil and Public Works Department Secretariats	Heads of Departments.
	Rs.	Rs.
1912-13	... *	.....*
1913-14	13,412	1,097
1914-15	7,170	2,330
1915-16	9,599	2,093
1916-17	12,310	2,745

* Complete figures are not available.

It may be observed that a considerable portion of the expenditure shown against Heads of Departments would have been incurred by their visits to Dacca in the ordinary course of their duties.

(*ii*) No meetings of the Bengal Legislative Council were held in Dacca during 1912 and 1913. Rupees 770-4, Rs. 1,002-8-6 and Rs. 1,674-5 were paid in 1914, 1915 and 1916, respectively, on travelling allowances of members for attending meetings held at Dacca."

By the Hon'ble the MAHARAJADHIRAJA BAHADUR OF BURDWAN :—

Inroads of the river Ganges towards Kalna.

* 4. (*a*) Are the Government aware of the inroads being made year after year by the river Ganges towards the Gunj Bazar of Kalna?

(*b*) If so, what steps (if any) are the Government taking to protect this threatened portion of Kalna Gunj?

Answer by the Hon'ble MR. GREEN :—

"(*a*) Yes.

(*b*) This is an ordinary case of diluvion and alluvion in respect of private lands. In the absence of exceptional circumstances, which do not appear to exist in this case, it is not the policy of Government to spend public money in attempts to regulate the diluvial and alluvial action of rivers which flow through or beside private lands."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

Appointments in the Subordinate Educational Service.

* 5. (*a*) Is it a fact that the Director of Public Instruction has recently issued a circular to the effect that no M.A. or M.Sc. should be appointed as a teacher in a Government school on more than Rs. 50 a month in class VIII of the Subordinate Educational Service, no B.A. or B.Sc. on more than Rs. 35 a month in class I of the Lower Subordinate Educational Service, and no I.A. or I.Sc. on more than Rs. 25 a month in class III of the Lower Subordinate Educational Service?

(*b*) Are the Government aware of the existence of a feeling that the above initial salaries are insufficient to attract competent men who are desirous of remaining permanently in the Educational Service?

(*c*) Are the Government considering the desirability of asking the Director of Public Instruction to modify the abovementioned circular?

Answer by the Hon'ble MR. KERR :—

"(*a*) A copy of the Director of Public Instruction's Circular No. $\frac{188}{1A-58-16}$, dated the 9th November, 1916, is laid on the table. While this circular fixes the initial pay upon which gentlemen having certain academical qualifications should ordinarily be appointed as teachers in Government schools, this pay being at the rates mentioned in the question, it allows for their appointment on higher rates of pay with the special sanction of the Director of Public Instruction.

(*b*) The Hon'ble Member is referred to the statement made in paragraph 6 of the circular which gives the grounds upon which these rates were fixed.

(*c*) The answer is in the negative."

Circular referred to by the Hon'ble MR. KERR *in his Answer to Question No. 5 (starred) asked by the Hon'ble* BABU AMBIKA CHARAN MAZUMDAR *at the Council Meeting of the 23rd January, 1917.*

Circular No. $\frac{188}{4A-58-16}$, dated Calcutta, the 9th November 1916.

From—THE HON'BLE MR. W. W. HORNELL, M.A. (OXON.), Director of Public Instruction, Bengal,

To—All Divisional Inspectors of Schools; all Principals of Government Colleges; the Principal, Calcutta Madrasah; the Principal, Bethune College; the Lady Principal, Eden High School for Girls, Dacca; the Secretaries, Madrasah Committees at Dacca and Chittagong, and Inspectresses of Schools.

I HAVE the honour to inform you that on a review of the orders issued by this office from time to time on the subject of the initial pay on which

persons with various qualifications should be appointed, I find that orders are not clear. Accordingly I lay down, in supersession of the previous orders on the subject, that persons of the qualifications mentioned below should be appointed on the initial pay noted against them—

M.A.'s or M.Sc.'s when they are apppointed in high schools or to posts of Laboratory Assistants in colleges	Rupees 50 in Class VIII of the Subordinate Educational Service.
B. A.'s or B. Sc.'s	Rupees 35 in Class I of the Lower Subordinate Educational Service.
I. A.'s or I. Sc.'s	Rupees 25 in Class III of the Lower Subordinate Educational Service.

2. No person should be appointed on a higher initial pay than that indicated above, without the special sanction of this office. Applications for such sanction can be made only in very exceptional cases, for instance, when Muhammadans have to be appointed and they cannot be obtained on the terms indicated above. Special reference should be made to this office, when occasions arise for the relaxation of the above limits.

3. The cases of B.T.'s and L.T.'s are difficult. It would appear fair and reasonable to offer them higher initial salaries than those who have not passed those examinations, and that a teacher in the Lower Subordinate Educational Service who is deputed to the Training College for a course of training, has, on coming out successful, a claim to special and immediate promotion. This is, however, not practicable. If, for example, an outsider B.T. or L.T. is appointed on a higher salary than the officers already in Government service who possess similar qualifications, the latter will have a just grievance.

4. It is not possible to fix the initial pay of B.T.'s and L.T.'s, but I do not wish to discourage training. The case of an officer of this Department (teacher or inspecting officer) who improves his qualifications by passing successfully through a course of training, will be specially considered in the matter of promotion so far as this can be done without prejudice to the claims of other deserving officers. It is also proposed that there should be certain posts, viz., Headmasterships of the improved *guru*-training schools for which the B.T. will be an indispensable qualification.

5. As regards the appointment of outsiders to teaching or inspecting posts, *preference should always be given* to B.T.'s and L.T.'s if such candidates are available, and if they can be appointed without prejudice to the legitimate claims of certain communities for a share of Government patronage. I would suggest that you should make this clear in advertising a vacancy. If a B.T. or L.T. is forthcoming, he should ordinarily be appointed on the initial pay to which he is entitled according to his general academical qualification as indicated in paragraph 1. If, however, it is proposed to appoint an experienced B.T. or L.T. in the first instance to Government service, his case must be referred to this office if he is not prepared to accept the ordinary terms.

6. Another matter which I should impress upon you is the fact that the more outsiders are appointed to the Subordinate Educational Service or to the higher grades in the Lower Subordinate Educational Service, the fewer will be the chances of promotion of deserving officers from the Lower Subordinate Educational Service. It is perfectly true that it is difficult to secure suitable graduate teachers on the terms that can be offered under existing conditions, but one cannot have it both ways, and if appointments are made

direct in higher grades we diminish proportionately the prospects of promotion of the officers in the lower grades. The generally unsatisfactory conditions of Government schools in the matter of staff have been pointed out to Government over and over again, but the remedy which is a costly one, cannot be considered until the financial position has been readjusted.

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

.T. and L.T. kaminations.

* 6. (*a*) Will the Government be pleased to state when and why the B.T. and L.T. examinations were started?

(*b*) Has any special consideration been shown to the persons who have passed these examinations as regards their pay and prospects?

(*c*) How many persons who have passed the B.T. examination are there in the service of Government?

(*d*) What is the highest as well as the lowest pay that they are drawing at present?

Answer by the Hon'ble MR. KERR :—

"(*a*) B.T. and L.T. examinations were inaugurated in Bengal by the Calcutta University in the years 1908 and 1910, respectively. It is understood that they were started in pursuance of the recommendations of the Indian Universities Commission.

(*b*) The claims of B.T.'s and L.T.'s are considered when vacancies are filled up on the staffs of the Training colleges and schools and of *guru*-training schools; three Bachelors and one Licentiate in Teaching were given special promotion to class VIII of the Subordinate Educational Service last year. Persons having these academical qualifications are not required to pass certain departmental examinations which other persons have to pass as a condition of confirmation in the service of Government.

(*c*) One hundred and forty officers in the Education Department have passed the B.T. examination. Statistics for other departments of Government are not available.

(*d*) The highest rate of pay is Rs. 200 and the lowest is Rs. 35—2—45."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

mparative y in the ordinate l Provincial ucational rvices.

* 7. Is it a fact that the pay for the highest grade of the Subordinate Educational Service is equal to the pay in the lowest grade of the Provincial Educational Service?

Answer by the Hon'ble MR. KERR :—

"The answer is in the negative."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

ad Masters l the vincial ucational vice.

* 8. (*a*) Is it a fact that the Head Masters in the highest grade of the Subordinate Educational Service receive a duty allowance of Rs. 50 a month, and that this allowance is not given to them on their promotion to the Provincial Educational Service?

(*b*) How many of these Head Masters were promoted to the Provincial Educational Service last year?

(*c*) Are the Government considering the advisability of either increasing the pay for the lowest grade of the Provincial Educational Service or of continuing the duty allowance until such officers are promoted to a higher grade in the Provincial Educational Service?

Answer by the Hon'ble MR. KERR :—

"(*a*) Head Masters of Government High Schools who are in the Subordinate Educational Service, whatever their grade, receive a local allowance of

Rs. 50 per mensem. This allowance is not given to them on promotion to the Provincial Educational Service.

(*b*) Two Head Masters in the Subordinate Educational Service were promoted to the Provincial Educational Service during the last calendar year

(*c*) The answer is in the negative.

In view of the fact that Head Masters in the Provincial Educational Service have better prospects than those in the Subordinate Educational Service, it is not necessary to grant them allowances such as have been granted to Head Masters in the Subordinate Service."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Establishment of a City Civil Court for Calcutta.

* 9. (*a*) Will the Government be pleased to state what steps have been taken to further the object of the resolution which was adopted by the Bengal Legislative Council with regard to the establishment of a City Civil Court for Calcutta?

(*b*) Have the High Court of Calcutta and any other authorities been asked for opinions about the proposal, since the resolution was passed in the Council?

(*c*) If so, have their replies been received?

Answer by the Hon'ble MR. KERR :—

"The matter is still under consideration and Government are unable at present to make any statement on the subject."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Augmentation grant to District Boards

*10. (*a*) With reference to the statement made in paragraph 13 of the Government Resolution reviewing the reports on the working of the District Boards in Bengal during 1915-16, will the Government be pleased to explain the reasons why the amount of Rs 1,35,212, that has been described as a "windfall," in connection with the special grants made by Government to the District Boards of *Tippera* and *Bankura* for relief works, remained in the hands of Government as "undistributed arrears of the annual augmentation grant"?

(*b*) What is the exact process of distributing the augmentation grant among the District Boards?

(*c*) Does this distribution lend itself to deviations of any kind by which such large sums can be left undistributed?

(*d*) To what periods do these arrears relate, and to what individual Boards do they rightfully belong?

(*e*) What were the circumstances in which the full augmentation grant was not allotted to the District Boards?

(*f*) How much has each of the District Boards not received owing to such non-allotment?

(*g*) Are the Government considering the desirability of compensating the Boards concerned for this loss?

Answer by the Hon'ble MR. DONALD :—

"(*a*) The grant of the special subventions referred to was made possible by the fact that a mistake was made in calculating the amount of the augmentation grant for the year 1913-14.

(*b*) Ordinarily the grant is distributed rateably to District Boards in proportion to their income from cesses, but Government have the right, which they exercised in the present case, to depart from this principle in exceptional cases to meet exceptional circumstances.

(*c*) The answer is in the negative.

(*d*) The arrears were of the year 1913-14. Neither these arrears nor any part of them rightfully belong to any District Boards.

(*e*) and (*f*) The augmentation grant for 1913-14 as calculated was distributed rateably to all District Boards ; and when it was discovered next year that the sum of Rs. 1,35,212 was still available, it was decided to make special grants to the District Boards of Bankura and Tippera for the relief of distress. Consequently no other District Boards received any part of this sum.

(*g*) No question of compensation arises. Therefore Government are not considering the desirability of compensating any District Boards."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

anitary mprovements in ertain areas.

* 11. With reference to the statement, which was laid on the table in answer to my starred question No 2, asked at the meeting of the Council held on the 7th August, 1916, will the Government be pleased to state whether they are considering the desirability of adopting special measures for improving the sanitary conditions of those areas where the death-rate has continued to be in excess of the birth-rate, or where the death-rate has been gradually increasing for some time past, as compared with the general death-rate of the province?

Answer by the Hon'ble MR. DONALD :—

" The matter has been referred to the Sanitary Commissioner, whose report is awaited."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

ater-supply gisters and ps in strict and cal Boards.

* 12. Will the Government be pleased to lay on the table a statement containing the names of the District and Local Boards in Bengal in which the preparation of water-supply registers and maps is complete, and also those in which it has not yet been completed?

Answer by the Hon'ble MR. DONALD :—

" The preparation of both water-supply maps and registers is reported to have been completed in the districts of Hooghly, Howrah, Burdwan, Bankura, Birbhum, Midnapore, 24-Parganas, Murshidabad, Khulna, Nadia, Dinajpur, Rangpur, Pabna, Malda, Dacca, Faridpur and Tippera.

The preparation of maps and registers has not yet been completed in the following districts :—

District.			Local Board
Jessore	...	...	Sadar, Jhenida.
Noakhali	...	...	Sadar, Feni.
Jalpaiguri	...	...	.....
Chittagong	...	...	Six thanas.

Maps have not yet been prepared in the districts of Bogra, Bakarganj, Mymensingh and Rajshahi, but registers are complete in Bogra and Bakarganj and nearly complete in Mymensingh; they are not yet completed for the Naogaon and Sadar Local Boards of Rajshahi."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

[illegible] of the [illegible]

* 13. With reference to the answer given to my starred question No. 30, asked at the Council Meeting of the 13th December, 1916, will the Government be pleased to state whether the estimates have been prepared to give effect to the improvement considered necessary by the Superintending Engineer, Central Circle, regarding the present insanitary condition of the Berhampore sluice on the Bhagirathi embankment?

Answer by the Hon'ble MR. GREEN :—

"The Superintending Engineer, Central Circle, has been instructed to prepare detail estimates with plans for improvements to the Berhampore sluice so as to render it more sanitary. The estimates are expected shortly, and, when received, will be considered by Government. The sluice, culvert and drain are, however, not the property of Government but of the local Municipality."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Floods in Howrah district

* 14. (*a*) With reference to the answer given to my starred question No. 24, asked at the Council Meeting of the 13th December, 1916, regarding the damage caused by the recent floods in the Damodar, will the Government be pleased to mention the names of the villages and thanas in the district of Howrah that have been so affected?

(*b*) Is it a fact that there were two high floods in the course of last year, and that the crops were submerged for about four days each time in an area of 23 square miles lying between the Damodar and the Rupnarayan?

(*c*) Are the Government considering the desirability of directing the District Magistrate of Howrah to hold a local inquiry on the question as to whether there is any chance of raising *boro* paddy in the aforesaid affected area?

(*d*) Is it a fact that the first flood occurred towards the end of the month of *Bhadra* last when the work of transplanting rice was in progress?

(*e*) Is it a fact that the second flood occurred a fortnight after the first and before the plants had time to recover from the shock of the first flood?

Answer by the Hon'ble MR. KERR :—

"(*a*) No area in the Howrah district was seriously affected by the Damodar floods. The inundated area was situated on the west bank of the Damodar in thanas Singti and Amta.

(*b*) There were two high floods on September 25th and September 30th, 1916. Crops were submerged for about four days on each occasion only in the lowest portions, about 12 square miles in area.

(*c*) There is not sufficient water in the area for the growth of *boro* paddy. Wherever the crop was damaged, a good crop of *kalai*, onions and potatoes is now in the fields.

(*d*) The answer is in the negative, both floods occurred in the middle of *Asvin* after transplantation had been completed.

(*e*) The Hon'ble Member is referred to the reply to (*b*)."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Temperance teachings in schools.

* 15. Will the Government be pleased to state what progress has been made in the matter of temperance teaching in schools in Bengal, in accordance with the orders of the Government of India contained in paragraph 4 of the Commerce and Industry Department Resolution, dated the 25th July, 1914?

Answer by the Hon'ble MR. KERR :—

"Lessons on temperance are included in the school readers, viz., in the books on hygiene for classes III—VI in West Bengal and in the Nature Lessons Manual for standards V—VII in Eastern Bengal. The question of incorporating lessons on temperance in the readers for higher classes will be considered when the syllabus for those classes is revised."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Inspection note on Halisahar Municipality.

* 16. Will the Government be pleased to lay on the table a copy of the inspection note dated the 30th July, 1910, by Mr. H. E. Spry, Subdivisional Officer, Barrackpore, on the Halisahar Municipality, in the district of the 24-Parganas?

Answer by the Hon'ble MR. DONALD :—

"A copy of the inspection note is laid on the table."

Inspection note referred to in the answer by the Hon'ble MR. DONALD *to question No. 16 asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR.

Inspection note of Halisahar Municipality made by Mr. H. E. Spry, Subdivisional Officer of Barrackpore, on the 30th July, 1910.

I visited the Halisahar Municipal office on July 30, 1910, with the Vice-Chairman after inspecting the Kanchrapara Station Road.

2. I made a partial inspection of the office in the presence of the Vice-Chairman with the results noted below. The condition of the office seems to be far from satisfactory and I intend to inspect it in detail at the earliest opportunity.

3. *Road.*—A register has been opened in which are noted the names, lengths and descriptions of the roads in the various wards. There is no entry showing the annual expenditure on each of them. A mere list of roads without any account of their upkeep is not of much use. So far as I can gather, the present practice is to divide the allotment for roads equally between the four wards. Without going over the wards carefully I cannot say if this system is sound or not. But I may remind the Commissioners that it is more important to maintain properly trade routes, and important public throughfares, wherever they may be, than to aim at an equal distribution of the allotment.

The local Commissioners of each ward decide how the allotment is to be expended and they certify that the work has been properly carried out before the contractors' bills are passed. They have an entirely free hand in spending the money. In future, I think the local Commissioners of each ward should submit a statement showing how it is proposed to expend the allotment. Their proposals should be passed by the Commissioners at a meeting before the work is commenced.

4. *Taxation.*—There is a tax on persons and a latrine tax. The new assessment has come into force from 1st April this year. The figures are :—

		New demand.			Old demand		
		Rs.	A.	P.	Rs.	A.	P.
Tax on persons	...	7,406	8	0	6,987	11	6
Latrine tax ...	...	3,917	12	0	3,458	10	0
Total	...	11,324	4	0	10,446	5	6

The new figures do not seem to have been passed by the Commissioners at a meeting. The assessment was done by the Commissioners themselves, the local members assessing their own wards. There is no report explaining the reasons for the increase. The form of taxation is twofold—the principal tax being a tax on persons and the latrine tax based on a tax on holdings.

Some interesting information might have been supplied by the Assessment Committee in giving the reasons for the increase. I still hope some sort of report will be drawn up and adopted.

The new figures should certainly be passed by the Commissioners at a meeting.

So far there have been 189 appeals from a total number of tax-payers of 2,577. The last petition of appeal is dated the 20th July, 1910.

5. *Securities of the Staff.*—Great laxity has obtained in this matter. The Head Clerk is supposed to give security of Rs. 100 in cash. On 9th June, 1909, he deposited Rs. 25, since then he has deposited nothing. The Tax Daroga has to give Rs. 300 security in cash. His Pass-book shows two entries, viz., Rs. 50 on the 9th June, 1909, and Rs. 25 on the 20th June, 1910. Sub-overseer Atul Krishna Srimani made his first payment towards his security of Rs. 50 in 1901 when under the Naihati Municipality. The account has been transferred to the name of the Vice-Chairman, Halisahar Municipality, but during those nine years he has only deposited Rs. 24-13.

On September 1st, 1909, the Tax Daroga appointed Tax Collector Upendra Nath Banerji. He took no sanction of this, nor has the appointment been confirmed by any officer of the Municipality. This Tax Collector has given no security. He should deposit Rs. 25 without delay.

The executive should see that the full amounts of the securities are made up at an early date.

6. *Accounts and Collections.*—The bill books were with the Sarkars when I arrived, but one was subsequently produced. The Transit Register in which the Sirkars acknowledge the receipt of the bills is blank for 1910-11. The Tax Daroga could offer no explanation. I was unable to discover when the notices for the first quarter were issued. The demand slips do not appear to have been issued before May. Several have not been issued even now. The Tax Daroga told me many houses are unoccupied at this time of the year and consequently the bills cannot be served. I noticed, however, that in some cases notices had been served successfully but not the bills.

The cash-books reveal a surprising state of affairs. The present Vice-Chairman was appointed in November, 1909. Since his appointment he has never checked the Cashier's Cash-book, and in fact seemed scarcely cognizant of its existence. The Accountant's Cash-book was signed by him last on March 31st and the Imprest Cash-book at about the same time.

I view the whole of Cashier's Cash-book with suspicion. In the first place it had not been written up for twelve days, and the Tax Daroga (who is the Cashier) could only tell me by guess work how much money he had in his hand. The money of course could have been counted, but there were no accounts by which to check it.

The entries show that the Cashier deposits money at Hooghly Treasury after what he considers suitable intervals. There seems to be no rule limiting the amount he is to retain at any time. He keeps the key of the safe as the Vice-Chairman lives at Kanchrapara.

Two instances will bring out the points I wish to draw attention to. On January 8th this year he had Rs. 1,262-9 in hand, being the receipts from the beginning of the month and the end of December. He deposited this sum in the Treasury on 27th January, and between the 8th January and this date his Cash-book shows no transaction. On January 28th, however, money was again received almost daily.

On 31st January he had in hand Rs. 607-13-6. On February 16th he deposited this sum in the Treasury, and the Cash-book shows no transaction between January 31st and this date.

On February 17th receipts again came in. In the first place it appears that a clerk who is supposed to give security of Rs. 300 (out of which he has deposited only Rs. 75) is allowed to accumulate Rs. 1,262-9 and other large sums. The money is in his sole charge.

It seems curious to me that although there were almost daily transactions from January 1st to January 8th and from January 28th to January 31st there should have been none from 8th to the 27th. The Tax Daroga was unable to explain this and similar instances. A still more curious

feature is that the Tax Daroga in every case anticipates exactly when payments will be made to him again, for he invariably deposits in the Treasury just one day before further receipts are obtained.

In some instances I find he deposits only part of the money received by him.

It seems to me that the dates in this Cash-book are largely fictitious and the omission of the Vice-Chairman to look into it very unfortunate.

The Executive should not neglect the accounts in this way in future.

7. I found a number of wooden buckets lying in the office compound. I was told they are for the disposal of night-soil. If so, it is difficult to appreciate the reason for selecting wooden ones.

By the Hon'ble KUMAR SHIB SHEKHARESWAR RAY :—

Sir Andrew Fraser Circular and the excavation of tanks.

* 17. With reference to the remarks made by the Hon'ble Nawab Sir Syed Shams-ul-Huda in the course of the debate on the Rural Water-supply Resolution, moved in the Council by the Hon'ble Mr. P. C. Mitter in September last, are the Government considering the advisability of withdrawing the Sir Andrew Fraser Circular which insisted upon a local contribution of one-third of the total expenses of excavating tanks, etc.?

Answer by the Hon'ble MR. DONALD :—

"The Circular of 1904, to which the Hon'ble Member refers, laid down *inter alia* that one-third of the cost of any project for improving the supply of drinking water in rural areas should be met from public subscriptions before a Government grant was made. This condition was withdrawn by the Government of Eastern Bengal and Assam in 1908 and by the Government of Bengal in 1911. The orders contained in the Circular of 1904 applied only when grants were made by Government to District Boards for the improvement of the rural water-supply and not when District Boards spent money for this purpose without receiving a Government subvention. As there appears to be considerable misapprehension on the subject, a circular will shortly issue explaining the position."

UNSTARRED QUESTIONS.

(*The Answers to which were laid on the table.*)

By the Hon'ble MAULVI ABUL KASEM :—

Magistrates and Revenue work in Burdwan.

1. With reference to the answer given to my question No. XXVII (unstarred) asked at the meeting of Council held on the 13th December last, will the Government be pleased to state whether it is a fact that the Magistrates in the Burdwan district sitting in Court and doing judicial duties are interrupted in their work by having to attend to references from the Revenue and Miscellaneous Departments?

Answer by the Hon'ble MR. KERR :—

"Government are aware that this occasionally happens, but under the rules issued by the High Court for the conduct of criminal trials, the examination of a witness may not be interrupted for the purpose of enabling a Magistrate or Judge to attend to other business, unless such business is of an urgent nature; and if the Magistrate or Judge is compelled to attend to such business, the examination of the witness must be suspended so long as such other business is being attended to. Government believe that these regulations are sufficient to prevent any serious inconvenience or interruption of judicial work."

By the Hon'ble MAULVI ABUL KASEM :—

The Central National Muhammadan Association of Calcutta.

II. (*a*) Is it a fact that the Government have issued a circular to the effect that Government servants are not allowed to join or take part in any meeting, society or organization of a public character which discusses or deals with political questions or which expresses its opinion on current political questions or at which political questions are discussed?

(*b*) Are the Government aware that the Central National Muhammadan Association of Calcutta is a society which discusses political questions and expresses opinion on current political questions?

Answer by the Hon'ble MR. KERR :—

"(*a*) No circular to the effect suggested in the question has been issued by Government, but, under the Government Servants' Conduct Rules, a Government servant may not take part in, or subscribe in aid of, any political movement in India or relating to Indian affairs. Nor may he attend any political meeting his presence at which is likely to be misconstrued or to impair his public usefulness.

(*d*) The activities of the Association have not hitherto been such as to justify Government in prohibiting Government servants from joining it."

The Hon'ble MAULVI ABUL KASEM, asked the following supplementary question :—

"Is it a fact that the Central National Muhammadan Association does discuss questions affecting Indian politics?

The Hon'ble MR. LYON, replied :—

"I do not think I have anything to add to the answer as stated."

By the Hon'ble MR. ASHRAF ALI KHAN CHAUDHURI :—

Muhammadans on the staff of Rajshahi Courts.

III. (*a*) Will the Government be pleased to state the total number of the ministerial officers drawing salaries of between Rs 20 and Rs. 150 per month, who are employed in Civil, Criminal and Revenue Courts of the Rajshahi Division, and how many of these appointments are held by Muhammadans?

(*b*) How many Muhammadans in these posts are drawing—

(*i*) above Rs. 50 per month, and

(*ii*) above Rs. 100 per month?

Answer by the Hon'ble MR. KERR :—

"(*a*) & (*b*) A statement is laid on the table."

Statement referred to by the Hon'ble MR. KERR *in his Answer to Question No. III (unstarred) asked by the Hon'ble* MR. ASHRAF ALI KHAN CHAUDHURI *at the Council Meeting of the 23rd January, 1917, showing the number of ministerial appointments in the Revenue, Criminal and Civil Courts in the Rajshahi Division held by Muhammadans.*

TOTAL NUMBER OF POSTS.		NUMBER OF POSTS HELD BY MUHAMMADANS.		NUMBER OF MUHAMMADANS DRAWING ABOVE RS. 50.		NUMBER OF MUHAMMADANS DRAWING ABOVE RS. 100.	
Revenue and Criminal Courts.	Civil Courts.	Revenue and Criminal Courts.	Civil Courts.	Revenue and Criminal Courts.	Civil Courts.	Revenue and Criminal Courts.	Civil Courts.
520	321	91	99	9	17	Nil	1

By the Hon'ble MR. ASHRAF ALI KHAN CHAUDHURI :—

Inconvenience of *pardanashin* ladies on the Darjeeling mail.

IV. (*a*) Are the Government aware that owing to the introduction of the corridor train, *pardanashin* ladies find it very inconvenient to travel in 1st or 2nd class compartments on the Darjeeling mail train between Sealdah and Santahar and *vice versâ?*

(*b*) Are the Government aware that these ladies have to walk along an open corridor before they can enter their carriages or obtain admission to the bath-rooms attached to the train?

(*c*) Are the Government considering the desirability of asking the Eastern Bengal Railway authorities to remove this inconvenience by building bath-rooms to be attached to the ladies' compartments and by making doors to the ladies' compartments to open on to the railway platform?

(*d*) Are the Government also considering the desirability of asking the Eastern Bengal Railway authorities to make it a rule that whenever a party (with *pardanashin* ladies) applies to reserve a first or second class compartment in the Darjeeling mail train between Sealdah and Santahar, and *vice versâ*, an old-fashioned carriage may be attached and the accommodation asked for reserved therein?

Answer by the Hon'ble MR. GREEN :—

"(*a*) Yes, it is understood that some *pardanashin* ladies and other travellers prefer non-corridor to corridor trains. Those who find inconvenience in corridor trains can always travel by an ordinary train.

(*b*) Yes.

(*c*) No.

(*d*) The Railway Administration is prepared to attach a non-corridor bogie carriage to the Darjeeling mail for the use of any party which includes *pardanashin* ladies and which is prepared to pay for the full berthing accommodation of the whole carriage."

By the Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI :—

Steam launch for the Department of Fisheries.

V. (*a*) Is it a fact that the Department of Fisheries has been provided with a specially built steam launch?

(*b*) If the answer to the above question is in the affirmative, will the Government be pleased to state—

(*i*) how much the launch cost;

(*ii*) to what use has it been put; and

(*iii*) where and how many trips the launch has made each year and for what purpose?

Answer by the Hon'ble MR. KERR :—

"(*a*) Yes.

(*b*) (*i*) Rs. 49,050.

(*ii*) The launch has been used for the survey of fisheries in the Sunderbans.

(*iii*) Four tours were made in 1915 and four in 1916. The purposes of the tours were the survey of fisheries and the investigation of the habits of *hilsa*."

By the Hon'ble BABU ARUN CHANDRA SINHA :—

Settlement work in Noakhali.

VI. Is it a fact that the orders, if any, passed on petitions and applications submitted by interested persons in connection with settlement work before the Circle Officers, and before the Settlement Officer, in the district of Noakhali, are not communicated to such persons and that applications for copies of such petitions and of the orders passed thereon are refused?

Answer by the Hon'ble MR. KERR :—

"Government have no information to this effect."

By the Hon'ble BABU ARUN CHANDRA SINHA :—

VII. Will the Government be pleased to lay on the table a comparative statement showing, for the last five years, the number of old and new assessees of income-tax and the total amount assessed on them, in the Chittagong Division?

Assessment of income-tax in Chittagong

Answer by the Hon'ble MR. DONALD :—

"A statement giving the information desired is laid on the table."

Statement referred to by the Hon'ble MR. DONALD *in his Answer to Question No. VII (unstarred) asked by the Hon'ble* BABU ARUN CHANDRA SINHA *at the Council Meeting of the 23rd January, 1917, showing the number of old and new assessees of income-tax and the total amount assessed on them in the Chittagong Division.*

YEAR	NUMBER OF ASSESSEES.									TOTAL AMOUNT ASSESSED.		
	CHITTAGONG.			TIPPERA			NOAKHALI.			CHITTAGONG	TIPPERA	NOAKHALI
	Old	New	Total	Old	New	Total	Old	New	Total			
										Rs	Rs	Rs.
1911-12 . .	131	181	1,115	1,011	42	1,053	532	24	556	63,139	58,929	24,533
1912-13 . .	970	140	1,115	1,017	36	1,053	546	18	564	63,756	60,295	22,057
1913-14 . .	958	130	1,088	1,029	79	1,108	557	16	573	65,193	67,005	24,614
1914-15	915	151	1,066	1,098	90	1,188	559	17	576	66,897	68,646	22,716
1915-16 ...	870	163	1,033	1,183	32	1,215	544	70	615	66,174	74,424	24,918

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :

VIII. (*a*) Are the Government aware that on a special representation, the Manager of the Eastern Bengal Railway made the necessary inquiries and collected figures for a proposed feeder railway line from some station on the Katthar Godagari line to Nawabganj in the Malda district?

Proposed new railway line in Malda

(*b*) If so, will the Government be pleased to state what the result of the inquiries has been, and whether there is any likelihood of a feeder railway line being constructed in the near future?

(*c*) Is it a fact that Nawabganj is an important centre of trade in rice, paddy and brass and bell-metal utensils and is only about ten miles distant from the main line?

Answer by the Hon'ble MR. GREEN :—

"(*a*) An application was received by the Eastern Bengal Railway for a branch line to Nawabganj in the year 1910, but no figures were collected for such a feeder line.

(*b*) In the present state of finances it is not likely that such a line will be constructed in the near future.

(*c*) The answer is in the affirmative."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

IX. Will the Government be pleased to lay on the table a comparative statement for the last five years showing—

Expenditure on School and College students.

(*i*) the total expenditure incurred *per* head for College students, and the Government share of such expenditure, in the different Colleges in Bengal, and

(*ii*) the total expenditure incurred *per* head for school boys in Government High Schools in the different districts in Bengal and the Government share of such expenditure?

Answer by the Hon'ble MR. KERR :—

"Comparative statements are laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR *to Question No. IX (unstarred) asked by the Hon'ble* BABU KISHORI MOHAN CHAUDHURI *at the Council Meeting of the 23rd January, 1917, showing the expenditure incurred in educating each student in College.*

Name of College.	1911-12.		1912-13.		1913-14.		1914-15.		1915-16.	
	Total expenditure incurred.	Expenditure incurred by Government.	Total expenditure incurred.	Expenditure incurred by Government.	Total expenditure incurred.	Expenditure incurred by Government.	Total expenditure incurred.	Expenditure incurred by Government.	Total expenditure incurred.	Expenditure incurred by Government.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1. Presidency College	303 14 9	162 13 6	352 2 6	216 15 10	351 0 0	216 11 2	350 7 2	209 5 11	362 6 5	237 5 7
2. Hooghly College	256 1 0	172 2 0	228 0 2	142 10 11	207 6 10	131 4 8	206 7 0	131 11 3	208 14 1	134 1 3
3. Krishnagar College	269 8 9	192 0 0	265 15 4	192 13 6	215 1 5	139 15 8	256 9 [illegible]	178 13 0	259 9 2	175 1 5
4. Sanskrit College	326 0 0	285 8 0	280 9 3	242 8 1	198 9 2	146 10 6	158 5 9	137 7 2	118 1 0	56 14 9
5. Dacca College	Figures not available		311 5 8	229 10 9	222 8 4	143 5 7	290 5 2	210 10 0	251 8 11	171 9 6
6. Chittagong College			354 9 9	234 13 5	276 4 7	218 4 3	229 12 6	169 13 2	201 15 7	140 13 11
7. Rajshahi College			112 0 10	40 12 0	101 8 3	32 14 3	113 11 9	52 9 10	118 13 0	52 12 2
8. Bethune College (for girls) ...	599 11 8	560 0 0	522 15 1	484 15 5	451 3 4	410 8 3	501 11 1	464 10 1	553 5 0	515 8 7
9. Midnapore College	86 2 6	36 12 11	66 12 0	23 15 0	91 14 9	20 5 0	120 9 3	25 3 5	135 4 8	61 0 8
10. St. Xavier's College	111 5 5	17 11 3	94 5 4	15 0 0	73 7 6	11 0 4	77 12 5	23 5 4	79 4 7	22 8 0
11. Scottish Churches College ...	84 2 3	19 11 4	129 5 6	20 5 2	140 10 2	21 3 6	143 11 5	21 15 8	151 12 5	21 5 7
12. London Missionary Societies College, Bhowanipur.	307 6 8	25 3 4	214 7 6	17 2 3	174 11 1	12 4 4	91 5 10	15 11 4	Abolished during the year.	
13. Daulatpur Hindu Academy ...	57 13 6	13 2 6	49 5 11	9 5 6	61 9 4	15 11 2	49 9 5	15 3 0	52 7 2	14 5 6
14. Wesleyan Mission College, Bankura	123 0 4	18 0 0	123 9 7	16 1 1	102 14 8	12 2 1	127 8 4	25 12 11	141 2 10	26 1 4
15. Narail Victoria College	65 15 0	18 10 6	76 12 9	16 4 7	61 9 9	12 12 10	61 9 8	10 9 8	60 3 7	10 4 4
16. Jagannath College, Dacca ...	Figures not available		63 1 2	19 0 3	65 12 0	7 3 3	65 15 2	26 15 10	60 11 0	16 7 9
17. Brojo Mohan College, Barisal ...			71 11 8	33 13 9	68 2 0	27 14 1	72 11 4	28 0 3	55 13 9	25 14 4
18. Ananda Mohan College, Mymensingh.			120 12 11	62 2 0	83 4 6	[illegible] 14 9	78 14 3	31 14 9	82 1 9	20 8 6
19. Comilla Victoria College ...			38 7 0	12 9 9	33 2 8	6 13 10	47 0 7	8 14 11	49 14 7	8 0 9
20. St. Paul's Cathedral Mission College.	227 2 11	Unaided	117 4 0	Unaided	215 2 2	85 11 4	180 15 8	48 0 0	139 1 5	32 9 9
21. Serampore College	Figures not available		369 2 2	Figures not available	256 9 0	40 15 0	232 1 1	64 2 9	180 8 2	55 13 0
22. Pabna Edward College			78 1 9		51 9 0	Unaided	66 11 8	20 13 4	66 0 3	23 8 6
23. Diocesan College (for girls) ...	247 4 0	Unaided	178 15 6	Unaided	414 8 9	232 4 1	309 8 3	245 11 5	221 8 9	163 10 2
24. City College	41 10 0		39 10 7		45 2 8	Unaided	46 14 1	Unaided	48 8 0	Unaided.
25. Ripon College	72 6 4		64 10 0		47 14 9		59 8 4		40 3 10	
26. Burdwan Raj College	128 15 5		95 11 6		113 5 2		93 7 4		82 12 9	
27. Berhampore Krishnagar College ...	89 10 8		77 10 2		85 14 4		75 11 6		66 11 2	
28. Central College	35 1 0		41 8 10		42 1 3		47 10 9		21 1 6	
29. Uttarpara College	70 14 5		68 8 3		57 10 1		54 6 5		45 7 2	
30. Hetampur College	159 10 11		144 7 5		169 4 3		153 11 11		177 9 5	
31. Bishop's College	907 6 6		866 10 10		1,781 11 8		800 7 0		Abolished during the year.	
32. Bangabasi College	74 5 8		67 13 0		59 9 3		41 5 2		43 11 9	
33. Metropolitan Institution ...	61 0 9		49 4 5		50 4 0		52 14 3		46 4 9	
34. Loreto House (for girls)	409 [illegible] 8		[illegible]		[illegible]		[illegible]		[illegible]	

Districts.	1911-12.		1912-13.		1913-14.		1914-15.		1915-16.	
	Total expenditure.	Expenditure incurred by Government.	Total expenditure.	Expenditure incurred by Government.	Total expenditure.	Expenditure incurred by Government.	Total expenditure.	Expenditure incurred by Government.	Total expenditure.	Expenditure incurred by Government.
1	2	3	4	5	6	7	8	9	10	11
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Birbhum ...	35 6 5	8 12 6	30 0 5	5 13 7	30 8 0	5 12 5	37 1 7	13 14 6	36 6 5	8 0 4
Bankura ...	37 9 7	17 0 3	37 3 2	15 7 6	31 9 7	9 8 4	37 3 4	14 4 6	35 1 6	12 7 9
Hooghly ...	41 12 9	17 12 5	38 6 5	13 7 6	42 1 7	14 1 9	49 13 0	24 14 4	53 6 5	27 3 9
Howrah ...	24 5 0	1 4 5	24 7 4	1 8 4	23 7 2	.....	35 4 3	9 7 0	40 5 6	15 3 11
24-Parganas ...	31 14 4	14 4 9	33 14 4	15 3 2	30 8 0	12 6 4	29 3 2	9 9 7	32 11 2	12 14 4
Calcutta ...	57 0 0	22 9 7	54 8 0	20 3 2	53 0 0	20 0 9	57 6 4	21 14 4	69 9 7	28 9 7
Nadia ...	60 9 7	31 6 4	56 0 0	24 14 4	54 6 4	23 3 2	70 11 2	40 0 0	56 8 0	27 11 2
Murshidabad...	69 12 9	68 6 4	63 1 7	61 11 2	57 12 9	57 3 2	66 14 4	65 9 7	55 11 2	55 0 1
Jessore ...	29 1 3	8 6 4	25 3 2	5 11 2	29 9 7	11 3 2	36 3 2	16 4 9	31 4 9	11 3 2
Khulna ...	46 6 4	24 3 2	38 3 2	15 0 11	33 12 9	10 12 9	45 12 9	21 8 0	42 14 4	19 12 9
Rajshahi ...	51 0 0	30 0 0	48 0 0	24 0 0	47 0 0	24 0 0	50 0 0	26 0 0	55 0 0	32 0 0
Dinajpur ...	23 0 0	2 0 0	20 0 0	.....	21 0 0	.....	28 0 0	6 0 0	29 0 0	8 0 0
Jalpaiguri ...	32 0 0	14 0 0	30 0 0	10 0 0	31 0 0	10 0 0	28 0 0	7 0 0	31 0 0	11 0 0
Darjeeling ...	52 0 0	34 0 0	64 0 0	48 0 0	47 0 0	30 0 0	59 0 0	40 0 0	60 0 0	42 0 0
Rangpur ...	28 0 0	14 7 0	26 0 0	7 0 0	30 0 0	15 0 0	33 0 0	11 0 0	42 0 0	14 0 0
Bogra ...	32 0 0	12 0 0	35 0 0	14 0 0	35 0 0	14 0 0	36 0 0	15 0 0	36 0 0	14 0 0
Pabna ...	32 0 0	15 0 0	32 0 0	14 0 0	34 0 0	13 0 0	40 0 0	20 0 0	34 0 0	14 0 0
Malda ...	31 0 0	19 0 0	39 0 0	21 0 0	36 0 0	16 0 0	32 0 0	10 0 0	26 0 0	6 0 0
Dacca ...	42 11 4	14 14 4	38 4 11	12 13 9	44 10 7	20 9 2	54 7 11	25 6 7	47 2 10	26 4 2
Mymensingh	34 1 8	15 8 3	28 11 10	9 15 7	33 5 5	13 14 1	30 11 5	10 15 5	28 2 11	8 3 5
Faridpur ...	27 8 2	9 5 5	24 6 6	6 2 0	21 13 10	3 9 1	27 15 11	9 4 2	29 5 4	10 0 3
Bakarganj ...	28 7 2	14 6 8	23 12 10	8 12 3	21 14 5	6 9 0	22 8 4	5 9 10	21 12 11	4 8 2
Tippera ...	34 10 8	18 15 0	31 12 8	14 13 2	31 9 3	11 0 3	32 13 0	9 8 6	28 3 3	7 4 3
Noakhali ...	31 0 0	16 4 5	26 0 0	11 11 5	28 0 0	11 0 4	25 9 11	9 6 6	41 11 11	21 9 1
Chittagong ...	27 11 11	12 4 2	23 11 2	6 4 11	23 4 4	4 1 0	24 8 5	2 2 0	29 5 10	7 11 7
Chittagong Hill Tracts	51 1 4	42 14 3	50 13 3	41 7 10	46 7 10	38 0 11	50 4 9	41 8 0	56 5 10	45 9 10

NOTE 1.—The statistics for the Presidency and Chittagong Divisions are based on consolidated figures for each district supplied by the Inspector of Schools. The statistics for the remaining Divisions are based on individual figures for each school from which district averages have been calculated.

NOTE 2.—The statistics supplied for the Rajshahi Division have been worked out only in whole rupees

By the Hon'ble MR. ALTAF ALI :—

Muhammadans serving in the Court of Wards.

X. (*a*) Will the Government be pleased to lay on the table a statement showing the number of—

(*i*) managers,

(*ii*) sub managers,

(*iii*) assistant managers, and

(*iv*) ministerial officers

serving under the Court of Wards in Bengal?

(*b*) How many of these appointments, respectively, are held by Muhammadans?

Answer by the Hon'ble MR. KERR :—

"(*a*) & (*b*) The information asked for is contained in the following statement :—

	Managers	Sub-Managers	Assistant Managers	Ministerial officers
Total number serving under the Court of Wards in Bengal ...	23	1	10	959
Appointments held by Muhammadans ...	...	...	...	81"

By the Hon'ble MR. E. B. EDEN :—

Report of the Electric Supply Committee.

XI. Will the Government be pleased to lay on the table the report submitted by the Committee appointed to advise Government on the question of the charges at present levied by the Calcutta Electric Supply Corporation, Limited, for electric current supplied in Calcutta?

Answer by the Hon'ble MR. GREEN :—

"The report is laid on the table."

Report referred to by the Hon'ble MR. GREEN *in his Answer to Question No. XI (unstarred) asked by the Hon'ble* MR. EDEN *at the Council meeting of the 23rd January, 1917.*

IN a press *communiqué* dated the 7th June 1916, the Government of Bengal announced the appointment of a Committee to consider the question of the charges at present levied by the Calcutta Electric Supply Corporation, Limited, for electric current supplied in Calcutta. They announced at the same time that this Committee would not commence its sittings until October or November 1916, when Mr. Meares, Electrical Adviser to the Government of India, one of the members of the Committee, was expected to return from leave. On Mr. Meares' return to India in October last the public were informed by a press *communiqué* that the Committee would commence its sittings on the 8th November, and they were invited to submit their views, individually or through representative associations, on the question at issue. At the same time those public bodies and associations which had previously addressed Government were asked whether they had any further representations to put forward on the subject. The latter generally intimated that they had nothing to add to their former representations. From the general public a few communications were received, but these had reference mostly to details in the administrative working of the company, and had no bearing on the present issue. Mr. A. J. Pugh, one of the Municipal Commissioners of Calcutta, and Mr. W. H. Phelps, a member of the Trades Association, appeared and gave an expression of their views. We are

indebted to these gentlemen for their advice. In regard to the financial position and the working of the Calcutta Electric Supply Corporation, the information at our disposal was somewhat incomplete, and we found it necessary to make numerous enquiries from the Agent of the Corporation. Our obligations are due to Mr. Winkfield for the ready assistance that he has given us.

2. The question for our determination is whether any, and if so what, change should be made in the maximum rates as now fixed by Government. It may be explained here, as some misapprehension appears to exist on the point, that the powers of Government are limited to the fixation of *maximum* rates. The present maximum rates are eight annas per unit for lighting and four annas for fans, while the actual rates charged by the company are seven and four annas for lighting and fans, respectively. With rebates for prompt payment the actual cash rates are much lower and are five annas and three annas, respectively. In a consideration of the issue, both technical and financial considerations are involved They are to a great extent interwoven The former, relating to comparisons between the Calcutta Electric Supply Corporation, Limited, and other statutory undertakings of the same nature we shall take up first. And in view of the comparisons made in the representations of the various public bodies to the Government of Bengal, between the Calcutta Electric Supply Corporation and various other undertakings, both in India and in England, we think it desirable to examine these comparisons in some detail This is all the more essential as since 1914, when most of the letters in question were written, there have been considerable changes in the circumstances, which must be taken into account.

3. We are at the outset unable to understand how the critics of the Calcutta Electric Supply Corporation selected for comparison the undertakings mentioned in the various representations Carefully selected data and averages can be made to prove or disprove any statement, but it is essential for purposes of comparison that the main criteria should be similar It is not fair to make a comparison between undertakings belonging to limited liability companies and those of local authorities The Calcutta Electric Supply Corporation is a limited liability company: yet the critics in making comparisons with British concerns have instanced only Manchester, Liverpool, Glasgow, Dundee, Coventry, Stepney, Accrington and Birmingham—all local authority undertakings—and have not referred to a single British company. The distinction is of importance. The terms on which capital is raised are entirely different in the two classes of undertaking: the one has to pay dividends, but not the other and while a company almost invariably meets with a certain amount of healthy opposition from the local authority, in the exercise of its powers, the other body necessarily has the whole-hearted support of all the ratepayers who are not interested in rival sources such as gas. Again, undertakings run by plant using fuel cannot fairly be compared with those having water power. There is a fundamental difference which the lay mind should readily be able to grasp A hydro-electric station costs the same day by day, hour by hour, whether it is running at its full capacity or absolutely idle: the expenses, mainly capital charges, but including also labour and management, are practically a *fixed sum* independent of the units generated. In a fuel operated station, on the other hand, every extra unit generated involves the extra expenditure of a calculable amount of fuel. In the former case, if the plant is not fully loaded at certain hours each day or for certain months each year, the sale of power can profitably be undertaken at rates far below the average generating costs: the increased revenue, whatever it may be, is a set-off against the definite fixed expenditure But with steam plant, where the extra cost of fuel has to be taken into account, there are obvious limits to the price at which energy can be sold profitably, which are non-existent with water power. Calcutta cannot possibly therefore be compared with Darjeeling, Simla and Mussoorie.

It is further useless to base comparisons on the population of Indian and European cities, since a great proportion of the population of an Indian town is of a class which would never be able to pay for installing or hiring lights and fans; while in Europe every one is a potential consumer.

4. There remain, as bases of comparison, two criteria which are more or less fair, Plant Capacity and Load Factor. Neither is perfect, and true comparison between undertakings is a matter of expert experience alone; but these methods are at least free from the defects pointed out above and may be made plain to the man in the street. Before discussing these comparisons we must, however, emphasize that—

(*i*) Conditions in India and in Great Britain are by no means exactly parallel.

(*ii*) Conditions differ greatly from place to place, whether in India or in England, as to fuel, water supply, labour, climate and so forth; the tables appended to this report exhibit these differences, and prove that averages are at best misleading, although somewhat fairer than isolated examples.

5. In Table I we have set out a comparison of the results of working of the Calcutta Electric Supply Corporation, Limited, with those of companies in England of about the same Plant Capacity. The authorities for this table are :—

Primary.—Tables of Costs and Records of the "Electrical Times," dated 5th October 1916.

Subsidiary—

Tables of Electricity Undertakings in the British Isles, the "Electrician," 1916.

Tables of Colonial and Foreign Electricity Supply Works, the "Electrician," 1916.

Garcke's Manual of Electrical Undertakings, 1915-16.

Accounts of the Calcutta Electric Supply Corporation, Limited.

It will be observed that the only company undertakings comparable on this basis are six in London; the Central Electric Supply Company is omitted as it only supplies in bulk for traction. All other companies with a plant capacity between 20,000 and 30,000 kilowatts (Calcutta 21,000) are brought into the table, and their results are also averaged. As regards the rate per unit for lighting, it will be observed that the Charing Cross Company has the same limits as Calcutta, while the other London companies all have higher rates. The chief factors appear to be the higher rent, rates and taxes and the greater cost of fuel in London; coupled with a lower load factor It will also be seen that the amount placed to depreciation and reserve is far less in London than in Calcutta. The provision is, in our opinion, far too low in the former case; and we attribute this to the results of competition between the various companies, of which two are generally competing in each area of supply.

6. In Table II we show the only Indian company undertakings at all comparable with Calcutta on the basis of plant, though they are both much smaller Hydro-electric installations, for reasons explained, are omitted. The comparison with Bombay and Madras is, however, vitiated by the fact that both have tramway systems as an integral part of their undertakings, whereas the Calcutta Electric Supply Corporation does not supply power to the tramways and is not financially connected with the Calcutta Tramways Company. An average has not been struck here, as it would serve no useful purpose. The limits of price per unit for lighting are a fraction lower in Bombay than in Calcutta, which is accounted for at once by the much higher load factor, due mainly to the tramways; were the fuel costs more nearly alike

the difference would be considerably greater. The financial position of the Madras Electric Supply Company is such that comparisons are beside the mark.

7. Table III is a comparison between the Calcutta undertakings and those of British companies having high "load factors." As some of the letters before us show that the meaning of this term is not clearly understood it may be explained that the annual load factor is "the ratio of the *actual* output in units delivered to consumers to the *possible* output if the maximum load were constantly in use throughout the year," or

$$\text{Load factor} = \frac{\text{Number of units sold} \times 100}{\text{Maximum sixth mean load in K.W.} \times \text{hours of supply period}} = x \quad .$$

It will be seen that not one of the undertakings has as good a load factor as Calcutta, and the net has been spread widely to draw in enough concerns to make the table representative. Several quite small provincial companies are thus brought in, which render an average useless in the latter half of the table. The Newcastle undertaking, which heads this section, is really in a class by itself. For reasons already explained the Central Electric Supply Company has been omitted, and some of the undertakings in Table I are repeated here. In the provincial list companies purchasing supply in bulk for distribution are omitted, Dumbarton, Montrose and Hawick, which are branches of various companies combining several undertakings under one management, are omitted. Every other undertaking within the limits given is included. The limits of price per unit for lighting (excluding war increases) are generally about the same in the English undertakings as in Calcutta, a little higher in London on the average, though lower in specific cases in the Provinces. The differences are hardly such as to merit comment.

8. Table No. IV gives the average prices per unit, so far as they can be found in the authorities quoted, for all the companies in the other three tables, together with other data of interest. The facts set forth in these tables can be verified from the authorities themselves, but it may be specially noted that the towns are not selected but embrace all within the limits stated for which the data are available and comparable.

9. We would commend these tables to the careful consideration of Government. They give for the reasons above stated a fairly accurate statement of the working of the Calcutta Electric Supply Corporation as compared with similar companies in England and must be accepted in preference to the rather misleading comparisons made in the letters from the Calcutta Trades Association and the Anglo-Indian Association.

10. It may be convenient if we refer briefly to a few other points dealt with by the critics. The statement is made in the original letter of the Trades Association that in Simla, Mussoorie and Darjeeling "the lighting rate charged at each station is only 4 annas, *they have no fan load.*" We would observe that Simla and Mussoorie have a very large pumping load, and that Darjeeling supplies power to many tea gardens, these supplies are even better than a fan load, as they are confined to the hours when there is no lighting load. All these three Municipal hydro-electric plants have also a large heating load in the winter, at rates from ¾ to 1 anna per unit.

11. The Anglo-Indian Association quoted the case of Birmingham. The average prices per unit according to Gareke's Manual, 1915-16, page 169, are slightly below those given by them, but the fact that these average prices are for *all* units sold for *all* purposes (including some 24 million units for traction), and not merely domestic consumption, renders any comparison with Calcutta very misleading.

The same Association remarks that "Looking at a list of 22 British Electric Supply and Power companies. . . . . and, *as has been seen*, the rates charged to the public are much lower than in Calcutta." It is somewhat remarkable that not a single *company* other than the Calcutta Electric Supply Corporation is mentioned in the letter; and the tables we give disprove this statement entirely as regards companies comparable in plant capacity and load factor.

12. In connection with the remarks of Mr. McCabe, the late Chief Engineer to the Calcutta Corporation, "that the cost of labour (in England) is always very much greater" and that "No one has ever suggested that labour per unit is dearer here than in England," we would draw attention to the tables appended, which, following those of the "Electrical Times," show that establishment is divided up under three heads. "Wages" covers wages at generating station only. Here the Calcutta cost is ·04 penny against averages of ·11 in Tables I and ·10 and ·09 in the two parts of Table III. Secondly, wages on maintenance, etc., are included under that heading. Calcutta stands at ·17 against an average of ·16 in Table I and ·18 and ·14 in Table III. Thirdly, supervision is included in management, etc., and in comparing India with England the higher cost of supervision must in fairness be set off against the lower cost of labour. The figures for management are Calcutta ·26, London ·22 and Provincial ·15.

13. There are some points in the letter from the Chairman, Calcutta Electric Supply Corporation, to the Secretary to the Government of Bengal, to which exception might be taken, but they are of somewhat a minor character and do not bear greatly on the question under reference. We would remark however that although new types of metal filament glow lamps have increased the number of candle-power hours obtainable from a unit, yet in most cases an increase in the standard of lighting rather than a decrease in consumption has eventually been the result.

14. We have entered into the foregoing details at possibly greater length than was necessary, but the misleading comparisons that have been made, and the inaccurate statement that the Electric Supply Corporation paid a dividend of 11 per cent. in 1913—a statement which doubtless largely influenced the Corporation of Calcutta in its discussions on the subject—seem to have given a rather wide impression that as compared with other similar concerns the Electric Supply Corporation is unreasonable and that it has been exploiting Calcutta in the interests of its shareholders at the expense of the consuming public.

15. The question at issue cannot however be determined on a comparison of the position of the Calcutta Electric Supply Corporation with other similar concerns in other parts of the world. It must be determined with reference to the present position of the company and to the interests of the public in general. A brief reference to the company's financial operations from its inception will be useful in dealing with this aspect of the problem.

16. Through the exertions of Colonel R. E. Crompton, C.B., a license was granted on the 7th January 1897 to Messrs. Kilburn & Co. as Agents for a preliminary company called the Indian Electric Supply Company, Limited, registered in London with a capital of £1,000. In February 1897 the name of the company was changed to that of the Calcutta Electric Supply Corporation, Limited (its present name), with an increased capital of £100,000, which on the 11th May 1900 was increased to £200,000. On the 18th July 1902 a further increase to £500,000 was sanctioned, which again was increased to £1,000,000 on the 19th July 1907. At this figure the capital of the company stands to-day, although powers were taken on the 28th May 1914 for an additional increase to £1,500,000. The present subscribed capital is divided into 100,000 5 per cent. preference shares of £5 each and 100,000 ordinary shares of £5 each.

17. A contract was entered into with Messrs. Crompton & Co., Limited, to erect and equip a generating station in Emambagh Lane with plant of 1,000 kilowatts capacity and to provide and lay the necessary mains for a sum of £65,000, which figure was to include the actual expenses of obtaining the license, estimated at £3,000. We desire to draw special attention to this information in view of the insinuation of a member of the Corporation of Calcutta that the Electric Supply Corporation was loaded with a dead weight of capital upon which it has to find dividends and provide depreciation. We are of opinion that the facts do not warrant the insinuation.

18. The supply of current for lights, fans and power has increased from 412,950 units in 1900 to 21,081,928 in 1915, necessitating a capital outlay

of £1,380,827 to the 31st December 1915. Owing to the steady increase in the demand, several sub-stations were erected to cope with the situation, but in 1909-10 it was decided by the company to erect one central station with the most up-to-date generating plant. The supply of current from the new central station was commenced on the 20th July 1912. As much of the old plant as was found suitable was used in the erection of the new station, but it has been found impossible to utilise a certain amount of the machinery plant, etc., which cost originally £104,709. Against this sum the company estimate that out of the amounts set aside for depreciation in the three years ending 31st December 1915, £48,143 has been applied in reduction of this figure, leaving £55,566, for which provision still requires to be made. It has been urged that the loss caused by the scrapping of the old plant should fall on the shareholders only, and should not operate against a reduction in the charges to the consumer. We are unable wholly to agree with this contention. The plant originally erected was the most up-to-date that could have been used with prudence, and the present generating system was only in its infancy in 1897. At the same time we cannot but think that it would have been better if the company had deferred any increase in the dividend to the ordinary shareholders until this unproductive item had been entirely wiped off their books.

19. The Reserve fund of £126,703 as appearing in the company's balance sheet at 31st December 1915, was started with a sum of £90,000 realized from premiums upon the issue of shares, the balance being taken from revenue. It is obvious therefore that this figure has not been raised at the expense of the consumer.

With reference to the sum of £229,443 now at credit of the Depreciation and Renewals account, as has already been pointed out, the rate of depreciation written off by the company at present is higher than that obtaining in other companies of a similar nature in England, but the Committee is informed that this subject did not receive due consideration in the earlier years of the existence of the company, and that therefore it has been found necessary to set aside during the past few years larger amounts than would otherwise have been considered necessary. Some saving under this heading may consequently be expected in the near future.

20. The Corporation of Calcutta have given expression to the view that great savings have been effected by the new plant. That this is the case is abundantly clear from the following figures for the last complete year under the old system and for the year 1915 :—

	Gross revenue	Total costs	Units sold
	£	£	
1911 . ..	151,905	56,308	10,566,038
1915	224,206	61,284	21,081,928

During this period the net profits have increased from £95,597 to £162,922, and this notwithstanding a reduction in 1914 of ½ an anna in the price of light current and in 1915 of eight annas in the meter rent. There was a further reduction of ½ an anna in the present year. The Committee is informed that these reductions represent an annual decrease of about £25,000 in the revenue of the company. It may be noted that the increase of 1 per cent. in the dividend which the ordinary shareholders obtained cost the company £5,000 per annum.

21. From the facts set out in the foregoing paragraphs and an examination of the accounts of the company we cannot but come to the conclusion that there is a sufficient margin to admit of a further reduction in the cash price per unit for lighting. There has been a reduction of one anna since the agitation for lower rates commenced in 1914. This reduction was, we think, unduly delayed, and it would, as we have suggested, have been more fitting if the additional profits had been utilised in wiping out the loss on the old plant rather than increasing the dividend to the shareholders. At the same time, having in mind that the powers of Government are limited to the fixing of maximum rates, we are strongly opposed to the adoption of measures to coerce

the company to effect a reduction in their charges. Such measures are, we consider, justified only when a company shows an unreasonable attitude, giving greater consideration to its shareholders than to its consumers. We are not convinced that the Calcutta Electric Supply Corporation has been unreasonable towards the Calcutta public, and we have shown that the arguments of the critics on this point are generally misleading and fallacious. It must be remembered that any coercive interference with the existing rates at the present time precludes interference again for a period of seven years, and it is not unreasonable to suppose that if the Calcutta Electric Supply Corporation were now compelled to reduce their rates they would be disinclined to make any concession that might be possible within the next seven-year period. The immediate interests of the public cannot in such circumstances be considered apart from their interests during the period that must elapse before a further revision could be made. It appears clear to us that, with the general expansion of the business of the company and consequent increased income, a reduction in the existing rates can reasonably be looked for at an early date. And apart from this, the total elimination of the loss on the old plant is likely to be effected within the next three or four years. The company will then be in a position to make a substantial reduction in the rates. We would strongly deprecate any measure which would endanger such a prospect.

22. The opinion that we have expressed in the foregoing paragraph is based on normal conditions. Present abnormal conditions enhance the arguments against any interference with existing rates. War conditions, such as restricted lighting, restricted coal output and shortage of labour, have caused very many British companies to raise their rates by 10 or 15 per cent. in the last year. These factors have not affected the Calcutta Electric Supply Corporation appreciably; but the difficulty of obtaining new plant and the prohibition of the manufacture of copper wire must necessarily limit the possible expansion of the business. Even if the evidence showed the company's present charges to be so unreasonable as to call for compulsory revision, we are of opinion that the present time would be most unsuitable for so drastic a measure. It is equitable that all applicants shall be able to obtain the supply they require; but it is probable that if a large additional demand arose for lighting—and it is the rates for lighting which are criticised most strongly—the company might be unable to obtain the plant and mains to supply it. In this connexion the fact that the maximum demands of all lighting consumers occur almost at the same hour is very important. Owing to its better diversity factor a much greater demand for power, especially industrial power, could be met without any difficulty.

23. And apart from the particular case of the Calcutta Electric Supply Corporation, we would represent that the interference of Government in a matter of rates, save in exceptional circumstances, is to be strongly deprecated in the interests of electrical development generally. There are many places which do not at present enjoy the benefits of electric fans and light, although they are anxious to obtain them. For this to be possible capital must be raised either by companies or by local authorities. During the 20 years since the Darjeeling Municipality led the way very few local authorities have followed suit, despite the success of the pioneer installation and of those at Mussoorie and Simla. Unless those "adventurers" to whom in a meeting of the Corporation of Calcutta reference was made by Mr. Tremearne, in forgetfulness of the fact that the Indian Empire arose out of a company of such "adventurers," come forward, obtain concessions and float a concern, there seems little likelihood of an increase in India in those electrical facilities which prevail so largely in all other countries, to the greater comfort and well-being of the population. These adventurers will, we fear, not be forthcoming if there is any likelihood of unreasonable interference in their operations.

24. There are two other points on which we think it desirable to express an opinion. The question of a flat rate has been made the subject of some discussion, and objections have been raised to the differential rates for lighting, power, cooking, etc. We would only remark in this connection that differential

rates are universally adopted, whether the supply is under municipal or company management. It has been found advantageous to the majority of the consumers. A discussion of the question of a flat rate is also of little value, seeing that most houses have already been wired both for light and for fans. No advantage would, we are convinced, be secured to the consumer by the adoption of a flat rate.

25. It has further been urged that there should be no distinction in the rates charged to the small and to the large consumer. This contention is at variance with the ordinary commercial principle by which the big purchaser obtains an advantage over the small purchaser in the matter of rates, and we are not prepared to support it. The rates payable by Government have been brought to prominence in this connection, and we think it advisable to give the following information with regard to the special rebate allowed to Government through being permitted to "pool" their consumption. The Government is at present by far the largest consumer of current for lights and fans in Calcutta. Last year, *i.e.*, for the 12 months ending 31st December 1915, the number of units supplied for all purposes to Government was 1,800,129 out of a total consumption in Calcutta of 21,081,928. This represents 8·5 per cent. of the total consumption, and as an ordinary commercial proposition it can hardly be maintained that Government are not entitled to some special rate on so large a consumption. We do not think however that the present arrangement is very satisfactory. We would recommend as a measure preferable to the present system that Government should enter into a contract with the company under section 23 (*1*) of the Indian Electricity Act, 1910.

J. DONALD.
J. W. MEARES.
A. K. TAYLOR.
W. STATHER HALE.

The 14th November 1916.

Table I.—Details of British Companies comparable in Plant Capacity (20,000—30,000 kilowatts).

Company	Plant capacity.	Capital expenditure	Revenue— From supply	Revenue— From meter rents, etc.	Working costs	Gross profit before paying for interest, depreciation and reserve.		Interest and special.		Depreciation and reserve.		Surplus	Output units sold	Working cost per unit sold, pence: Fuel	Oil, etc.	Wages.	Repair and maintenance.	Rent, rates, taxes	Management, salaries, office, etc.	Total works cost.	Lighting rate.	Units private supply per head of population.	Load factor
London.	Kw.												Millions.	d.	d.	d.	d.	d.	d.	d.	d.		%
County of London	29,300	2,157,000	267,000	[illegible]	147,300	151,000	7·1	47,500		28,200	1·4	75,300	30	4·0	·01	·07	·18	·21	·20	1·16	3½ to 5	Not known.	23·6
Westminster ..	20,600	1,300,000	229,000	13,000	124,500	117,000	7·1	21,000		24,500	2·7	61,500	22	·45	·03	·12	·18	·24	·31	1·33	3¼ to 3½		21·8
Metropolitan ...	23,600	2,225,000	202,500	11,000	112,500	101,000	4·5	25,700		22,000	1·0	53,300	19	·48	·03	·16	·22	·24	·31	1·43	6 to 3		22·5
Charing Cross ...	28,500	2,375,000	262,000	8,530	135,400	135,300	5·7	48,000		37,300	1·6	50,000	27	·44	·03	·13	·22	·22	·17	1·21	5 to 3		24·2
London E. S. ...	27,200	1,428,000	204,000	8,840	136,300	77,700	5·4	22,000		18,500	1·2	37,200	31	·37	·01	·05	·07	·16	·08	0·64	5½ to 3½		26·6
City of London ...	30,000	2,030,000	276,500	18,100	146,100	148,500	7·3	34,200		30,000	2·5	64,400	29	·41	·01	·10	·10	·27	·30	1·19	8 to 2		17·0
Average ...	24,700	1,920,000	240,000	15,300	133,700	122,000	6·3	33,100		31,500	1·65	57,000	30	·44	·02	·11	·16	·21	·22	1·16	Max. .. 6 Min. .. 3½		22·6

Provincial—No companies comparable.

Calcutta† ...	20,800	1,380,827	212,324	11,581	61,283	162,922	11·79	16,484		62,000	4·49	84,438	21	·15	·01	·04	·17	·07	·26	0·70	Max. ... 5* Min. .. 3*	19	

NOTE.—In the costs per unit, "wages" cover wages at generating stations; wages incurred in repairs and maintenance come under that heading. Supervision comes under Management, salaries, etc.

Table II.—Details of Indian Companies comparable with Calcutta in Plant Capacity and Load Factor (not up to date).

Bombay‡	9,000	1,199,000 (1913)	101,400 (1913)	4,300 (1913)	48,280 (1913)	Compared by tramways	..	.	.			·15	·45	·02	·07	·06	·05	·11	0·76	Max. . 4½ Min. .. 2·9	·16	39·2
Madras‡	4,500	369,000 (1913)	37,380 (1913)	?	Completed by tramways	...	.	.	.			?	·41	·04	·18	·08	·04	·40	2·115	Max. ... 4 Min. ... 3	6	33·8

* For cash.
† No tram-loads.
‡ Tram-loads.
[illegible]

Table III.—Details of British Companies comparable as to Load Factor (22 to 22 %).

Company.	Plant capacity.	Capital expenditure	From supply.	Electricity rents, etc.	Working costs	Gross profit before making for depreciation and reserve	Profit per cent.	Interest and dividends	Depreciation and reserve	[illegible]	[illegible]	Working successfully sold. Fuel and oil.	Wages	Repairs and maintenance.	Rent, rates, taxes.	Management salaries, office, etc.	Total works cost.	Lighting rate	Units private supply per head of population	Load factor.
London.	Kw.	£	£			£		£	£	£	Millions	d.	d.	d.	d.	d.	d.	d.		%
1. London E.S.	27,200	1,428,000	204,000	9,850	136,300	77,700	5·4	22,000	[illegible]	[illegible]	37,[illegible]	51	·7	·01	·5	·07	·05	·08	0·64	7¼ to 4 3¼	Not known.	24·8
2. Charing Cross	28,500	2,375,000	282,000	8,850	135,400	135,600	5·7	48,000	37,000	·5	50,000	27	·44	·03	·13	·22	·22	·17	1·21	5 to 3 + 10% war.		24·2
3. County of London.	20,300	2,157,000	287,000	31,000	147,900	158,000	5·7 7·8	47,500	28,200	1·4	70,000	3	·42	·01	·07	·18	·21	·21	1·16	5½ to 5		23·6
4. Metropolitan ...	23,600	2,234,000	202,500	11,000	112,500	101,000	4·6	25,700	22,000	1·1	53,300	1·1	·48	·03	·15	·22	·24	·30	1·43	6 to 3		22·5
5. St. James ..	10,200	433,000	118,800	5,710	67,800	58,700	8·1	24,000	13,800	3·2	18,000	1	·47	·03	·13	·23	·26	·40	1·52	6 to 4		22·4
Average (London).	21,900	1,722,000	210,860	13,280	120,000	104,300	6·1	32,440	23,32	1·3	46,000	27	·45	·02	·10	·18	·22	·23	1·19	Max. 6 Min. ... 3½	9	23·9
Calcutta ..	20,800	1,380,927	213,324	11,881	61,283	162,922	11·79	16,484	62,000	4·49	84,628	2·	·35	·01	·04	·17	·07	·26	0·70	Max 5* Min. *	19	31·2

NOTE.—In the costs per unit, "wages" covers wages at generating stations, wages [illegible] and maintenance [illegible] under "Management salaries, etc."

Provincial.																						
Newcastle District	11,000	851,500	67,600	3,600	37,300	33,000	5·2	[illegible]	2,300	3·	[illegible]	[illegible]	·4	·02	·05	·[illegible]	·05	·4	1·4	4 Max	5	31·5
Prescot	7,500	[illegible]	24,400	23	11,700	[illegible]	14·1	N	[illegible]	2·2	[illegible]	[illegible]	·14	[illegible]	[illegible]	[illegible]		[illegible]	0·40	4	24	30·4
Chesham ...	785	44,[illegible]	5,870	87	4,[illegible]	[illegible]	[illegible]	[illegible]	50	[illegible]	[illegible]	[illegible]	[illegible]	7	[illegible]	·24	·[illegible]	·25	1·56	5	35	25·[illegible]
Slough District ...	[illegible]	[illegible]	9,200	420	5,4[illegible]	3,[illegible]	[illegible]	N	[illegible]	[illegible]	[illegible]	1	[illegible]	·14	·04	·24	·[illegible]	·14	1·41	5½ to 4½	4	53·3
Arbroath ...	1,050	43,730	5,[illegible]	34	3,[illegible]	1,[illegible]	4	[illegible]	[illegible]	2·	[illegible]	1	[illegible]	·7	·[illegible]	[illegible]	·[illegible]	·[illegible]	·[illegible]	5	45	22·[illegible]
Average (Provincial)			Losses				·8	Losses		1·5			·[illegible]	·[illegible]	·[illegible]	·4	·[illegible]	·[illegible]	0·[illegible]2	Max [illegible] Mean [illegible]	34	26·7

* Fixed.

Table IV.—Average prices per unit obtained by, and cost of fuel to, undertakings in tables 1 to 3, together with capital cost per kilowatt of plant, units sold per pound of capital expenditure and units sold per kilowatt of plant.

COMPANY.	AVERAGE PRICE OBTAINED PER UNIT.				Price per ton of fuel in bunkers.	Cost per kilowatt of plant.	Units sold per pound of capital.		Units sold per kilowatt of plant.
	Private supply (light, power and heat).	Public lighting.	Traction supply.	Total supply.					
LONDON.						£			
Charing Cross ...	2·34	3·53	1·24	2·34	19*s.* 0*d.*	90	11		1,020
City of London ...	2·27	1·43	...	2·25	?	68	14		970
County of London	?	?	?	2·10	?	106	14		1,500
London E.S. ...	?	?	?	·96	?	52	35	Average 18.	1,880
St. James ...	2·67	...	...	2·67	?	42	25		1,080
Metropolitan ...	?	?	?	2·58	?	94	8		610
Westminster ...	2·49	1·94	...	2·44	?	63	17		1,070
					Probably comparable with Charing Cross.				
PROVINCIAL.									
Arbroath ..	1·17	...	...	1·18	?	41	23		950
Chesham ...	2·20	4·20	...	2·28	16*s.* 3*d.*	55	14	Average 31, or omitting Prescot 21.	77
Newcastle District	?	?	?	0·86	? Certainly low.	60	29		1,700
Prescot ...	1·60	1·80	1·19	0·84 (?)	9*s.* 8*d.*	25	76		1,900
Slough-Datchet ...	2·13	2·97	1·75	2·06	27*s.* 6*d.* and oil 126*s.* 2*d.*	55	16		82
Average ...	2·11	2·65	1·39			62	23		1,12[illegible]
INDIA.									
Calcutta ...	2·48	2·58	...	2·42	8*s.* 4*d.*	66	15		1,01
Bombay ...	?	?	?	2·22 (1913)	?		12		1,67
Madras ...	?	?	?	1·97 (1913)	?		8		67
					No figures available. Indian coal of lower calorific value.				

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

ies in al High s.

XII. Will the Government be pleased to furnish a statement showing—

(*i*) the number of vacancies in Government High Schools in the mufassal during the last year;

(*ii*) the number of outsiders, with their qualifications, permanently appointed in consequence of such vacancies; and

(*iii*) the remuneration offered to these outsiders?

Answer by the Hon'ble MR. KERR :—

'So far as can be ascertained from the records in the office of the Director of Public Instruction, there were twenty-three vacancies during the last calendar year. Seventeen outsiders were appointed permanently in these vacancies. A statement showing their qualifications and salaries is laid on the table.'

Statement referred to by the Hon'ble MR. KERR *in his Answer to Question No. XII (unstarred) asked by the Hon'ble* BABU AMBIKA CHARAN MAZUMDAR *at the Council Meeting of the 23rd January 1917.*

Number of outsiders permanently appointed	Remuneration	Qualifications
	Rs.	
6	50 each	3 M.A.'s and 3 B.A.'s.
1	40	A lady teacher, who had read up to F.A. and held an English Training Certificate.
1	30	A lady teacher, who held a Teachers' Junior Certificate.
2	25 each	One I. A. The qualifications of the other are not known.
3	20—1—25 each	Two Matriculates. The third held Vernacular Mastership Certificate.
1	15—1—20 ,,	Two Matriculates. The third was Drill Master trained in Drill and Gymnastics. The fourth was a clerk who had read up to the Entrance.

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XIII. (*a*) Will the Government be pleased to state the total length of railways, in miles, of each particular gauge, in the province; and in what length of each class of railway the District Boards are financially interested and to what extent? District Boards and Railways.

(*b*) What profit is guaranteed by the District Boards to each of these railways and what profit was made or loss incurred by each of these railways during the last five years, and in what manner and to what extent were the District Boards concerned affected thereby?

Answer by the Hon'ble MR. DONALD :—

The length of railways, in miles, of each particular gauge in this province on 31st March, 1916, was as follows :—

	Miles
Standard gauge	1,384·16
Metre gauge	1,180·81
2′ 6″ gauge	190·05
2′ 0″ gauge	183·40
Total	1,938·42

Bengal Duars Railway.—The District Board of Jalpaiguri is financially interested in the Bengal Duars Railway (original line, length 36·40 miles), which is on the metre gauge. The District Board, by an agreement dated the 27th April, 1891, has agreed to pay to the Railway Company out of the District fund, an annual subsidy of such amount, not exceeding Rs. 4,000, as may be required to make up the net profit in each year to 5 per cent. on the capital sum expended. The District Board does not participate in the surplus profits of the Company.

Baraset-Basirhat Light Railway.—The District Board of the 24-Parganas is financially interested in the Baraset-Basirhat Light Railway (total length 52·24 miles), which is a line on the 2′ 6″ gauge. The District Board,

by an agreement dated the 14th December, 1897, has guaranteed to supplement the net earnings of the Company by such annual subsidy as may be necessary to make the net profits of the Company equivalent to Rs. 1,500 per annum per mile of line open, provided that the total contribution by the Board does not exceed Rs. 38,000 per annum, being 4 per cent. on the amount of the Company's share capital. Surplus profits in excess of 4 per cent. on the Company's share capital are divisible equally between the District Board and the Company.

Jessore-Jhenidah Railway.—The District Board of Jessore is financially interested in the Jessore-Jhenidah Railway (length 36·80 miles), which is on the 2′ 6″ gauge. The District Board has guaranteed to supplement the net earnings of the Railway Company by such annual subsidy as may be necessary to make up a dividend of 4 per cent. per annum on the Company's paid up share capital, provided that the total sum so payable by the District Board shall not in any one year exceed the sum of Rs. 32,000. Surplus profits in excess of 4 per cent. on the Company's paid up share capital are to be divided between the Company and the District Board in equal shares.

Howrah-Amta Light Railway.—The District Board of Howrah is financially interested in the Howrah-Amta Light Railway (total length 43·87 miles), which is on the 2′ 0″ gauge. The District Board has guaranteed to pay to the Company by way of interest on the capital expended, such sum of money as may be required to make the net profits of the Company equivalent to a dividend at the rate of 4 per cent. per annum, provided that the Board is not involved on this account in a greater liability than Rs. 1,100 per annum per mile constructed and opened with a maximum of Rs. 28,000 per annum. Net profits in excess of 4 per cent. upon the capital for the time being of the Company are to be divided in equal proportions between the District Board and the Company.

Howrah Sheakhala Light Railway.—The District Board of Hooghly is financially interested in the Howrah-Sheakhala Light Railway (total length 19·75 miles), which is on the 2′ 0″ gauge. The District Board has guaranteed to make up the net profits of the Company to a dividend of 4 per cent. per annum on the capital actually paid up and expended, subject to a maximum of Rs. 950 per annum per mile of the line constructed and open. Net profits in excess of 4 per cent. upon the capital outlay are divisible between the District Board and the Company in the proportion of one-third to the former and two thirds to the latter.

The net earnings of the above five railways during the last five years are as follows :—

	1911.	1912.	1913-14.	1914-15.	1915-16.
	Rs.	Rs.	Rs.	Rs.	Rs.
Bengal Duars Railway ...	3,86,765	4,16,170	4,36,529	4,21,605	.....*
Baraset-Basirhat Light Railway ...	1,12,198	1,62,421	1,36,598	1,33,617	1,50,257
Jessore-Jhenidah Railway	.....	.....	12,145	Nil†	Nil†
Howrah-Amta Light Railway	2,52,728	3,05,869	2,68,927	2,38,783	2,58,771
Howrah-Sheakhala Light Railway ...	62,171	74,861	69,653	70,546	62,126

* Information not available.

† The loss of revenue of the Jessore-Jhenidah Railway from 1914-15 and 1915-16 was Rs. 16,468 and Rs. 49,039, respectively.

The District Board of Jalpaiguri was not affected in any way, as the Board was not called upon to pay anything to the Bengal Duars Railway Company by way of subsidy under the terms of their agreement with the Railway Company.

The District Boards of the 24-Parganas, Howrah and Hooghly received the following sums from the Baraset-Basirhat, Howrah-Amta and Howrah Sheakhala Light Railway Companies, respectively, by way of their shares in surplus profits during the last five years :—

	1911-12.	1912-13	1913-14.	1914-15.	1915-16.
	Rs.	Rs.	Rs.	Rs.	Rs.
Hooghly District Board* ...	Nil	10,469	9,373	7,082	6,713
Howrah District Board ...	45,749	63,095	68,364	51,893	54,648
24-Parganas District Board	553	17,283	27,932	7,276	12,294

* *N B.*—The figures given are those reported by the District Boards, and included in Form II which is appended to the annual Resolution on District Boards They do not agree with those given in the Administration Report on Railways in India for the year 1914-15 The discrepancy has not yet been reconciled.

The Jessore-Jhenidah Railway is working at a loss, and the amount recoverable from the District Board of Jessore under the guarantee is as follows :—

		Rs.
For the quarter ending 31st March, 1914	.	8,000
For the year ending 31st March, 1915	...	32,000
For the year ending 31st March, 1916	.	32,000

The District Board of Jessore, however, deny liability on the ground that the Railway Company have failed to fulfil the terms of their contract with the Board and that the agreement is no longer binding on the Board The matter has been referred to arbitration."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XIV. With reference to the statement made in paragraph 4 of the recent Government Resolution on the reports of the District Boards, will the Government be pleased to state what steps, if any, they are taking with a view to invest Local Boards with larger powers in the management of local affairs?

Investing of Local Boards with larger powers.

Answer by the Hon'ble MR. DONALD :—

" The powers of the Local Boards in the management of local affairs are limited by the provisions of the Local Self-Government Act, under which they act as agents of the District Boards. The Government of Bengal are contemplating legislation for a reconstitution of the system of Village Self-Government and in the meantime do not propose to take steps to secure larger powers for Local Boards."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XV. With reference to the statement in paragraph 20 of the recent Government Resolution on the reports of the District Boards, in regard to the utility of Sanitary Inspectors, are the Government considering the desirability of investing District Boards with legal powers, such as are enjoyed by Municipalities, to enforce sanitary measures?

District Boards and the appointment of Sanitary Inspectors.

Answer by the Hon'ble MR. DONALD :—

" The matter will be taken into consideration when the amendment of the Local Self-Government Act is undertaken."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XVI. Will the Government be pleased to state how many Sanitary Inspectors are at present employed by the District Boards, and where?

Sanitary Inspectors in District Boards.

Answer by the Hon'ble MR. DONALD :—

" A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. DONALD *to question No. XVI (unstarred) asked by the Hon'ble* BABU BHABENDRA CHANDRA RAY *at the Council Meeting of the 23rd January, 1917, showing the number of Sanitary Inspectors employed by District Boards.*

Dacca Division.

Name of District Boards	Number of Sanitary Inspectors	Places for or at which employed.
Mymensingh	1	For the whole district.
Faridpur	1	Ditto.

Rajshahi Division.

Rajshahi	1	For the whole district.
Bogra	1	Ditto.
Pabna	1	Ditto.
Malda	1	Ditto.
Dinajpur	3	1 for Sadar subdivision. 1 for Thakurgaon ditto. 1 for Balurghat ditto.

Presidency Division.

24-Parganas	3	1 for Sadar and Barackpur subdivisions. 1 for Barasat and Basirhat subdivisions, and 1 for Diamond Harbour subdivision.
Nadia	1	For the whole district.
Murshidabad	1	Ditto.
Jessore	1	Ditto.
Khulna	1	Ditto.

Burdwan Division.

Burdwan	1	For the whole district.
Bankura	1	Ditto.
Midnapore	2	Head-quarters in Midnapore town.
Hooghly	3	1 at Sadar. 1 at Serampore. 1 at Arambagh.
Howrah	1	For the whole district.

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Veterinary Surgeons in subdivisions.

XVII. Will the Government be pleased to state what subdivisions are at present without the services of a Veterinary Surgeon?

Answer by the Hon'ble MR. KERR :—

"There are no whole-time Veterinary Assistants in the following subdivisions, but the Veterinary Assistants attached to neighbouring subdivisions are in charge of veterinary work in these subdivisions—

Barrackpore.	Ghatal.
Ranaghat.	Tamluk.
Meherpur.	Howrah Sadar.
Kushtia.	Manikganj.
Narail.	Munshiganj.
Bangaon.	Gopalganj.
Jhenida.	Rajbari (Goalundo).
Katwa.	Balurghat.
Kalna.	Tahkurgaon.
Rampurhat.	Kurseong."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XVIII. Will the Government be pleased to lay on the table a statement showing what amounts the Corporation of Calcutta, and the individual municipalities in the district towns, have spent on primary education during each of the last five years, and what proportion of their total income and total expenditure, in each year, these amounts represent in each case? **Municipalities and primary education.**

Answer by the Hon'ble MR. DONALD :—

"Statements giving the information required are laid on the table."

STATEMENTS REFERRED TO IN THE ANSWER BY THE HON'BLE MR. DONALD TO QUESTION No. XVIII (UNSTARRED) ASKED BY THE HON'BLE BABU BHABENDRA CHANDRA RAY AT THE COUNCIL MEETING OF THE 23RD JANUARY, 1917.

STATEMENT A.

Expenditure on Primary Education by Municipalities other than Calcutta.

1912-13.

Name of head-quarters Municipality.	Expenditure on Primary Schools.	Percentage of Expenditure on Primary Schools on— Income.	Expenditure.
	Rs.		
Burdwan	1,617	1·1	·9
Suri	316	1·6	1·5
Bankura	570	2·0	2·2
Midnapore	1,327	1·3	1·6
Hooghly-Chinsura ...	1,124	1·8	·4
Howrah	6,078	·5	·7
Krishnagar	811	1·5	1·4
Berhampore	555	·5	·5
Jessore	596	1·7	1·1
Khulna	501	1·5	1·3
Dacca	7,296	2·0	2·2
Mymensingh	649	·9	·9
Faridpur	704	3·0	2·1
Barisal	681	·8	·8
Chittagong	2,251	1·7	1·8
Comilla	648	2·2	2·0
Noakhali	328	2·6	2·4
Rampur-Boalia ...	1,246	3·1	3·0
Dinajpur	1,485	2·9	3·0
Jalpaiguri	565	2·3	2·7
Darjeeling	2,060	·7	·6
Rangpur	1,538	3·7	3·9
Bogra	584	1·9	2·2
Pabna	563	2·4	2·5
English Bazar ...	400	2·0	2·2

1913-14.

Burdwan	1,929	1·1	·9
Suri	315	1·7	1·8
Bankura	593	1·6	2·0
Midnapore	782	·7	·8
Hooghly-Chinsura ...	1,128	·9	·6
Howrah	6,277	·5	·4

1913-14—concld.

Name of head-quarters Municipality.	Expenditure on Primary Schools	Percentage of expenditure on primary schools on— Income.	Expenditure.
	Rs.		
Krishnagar	811	1·6	1·6
Berhampore	678	·6	·5
Jessore	660	1·8	1·6
Khulna	525	1·7	1·8
Dacca	7,376	1·9	2·2
Mymensingh	727	1·1	1·17
Faridpur	427	1·8	1·8
Barisal	841	1·3	1·5
Chittagong	2,276	·6	1·8
Comilla	729	2·0	2·1
Noakhali	328	2·2	2·3
Rampur-Boalia ...	1,304	2·8	3·0
Dinajpur	1,506	2·9	3·0
Jalpaiguri	582	1·9	2·2
Rangpur	1,321	2·9	3·1
Bogra	733	2·3	2·3
Pabna	591	2·1	2·3
English Bazar ...	479	2·2	2·2
Darjeeling	2,450	·8	·7
1914-15.			
Burdwan	930	·6	·5
Suri	311	1·05	1·5
Bankura	611	1·9	·96
Midnapore	2,919	2·3	2·98
Hooghly-Chinsura ...	1,099	·78	·58
Howrah	6,428	·61	·46
Krishnagar	748	1·27	1·25
Berhampore	745	·51	·67
Jessore	749	1·63	1·79
Khulna	510	1·66	1·45
Dacca	28,747	7·85	7·74
Mymensingh ...	736	·95	·96
Faridpur	491	1·68	1·6
Barisal	739	1·22	1·31
Chittagong	2,563	2·03	1·32
Comilla	704	2·06	1·58
Noakhali	326	1·99	2·02
Rampur-Boalia ...	1,295	2·81	2·57
Dinajpur	1,840	3·33	3·54
Jalpaiguri	683	2·18	2·32
Rangpur	1 519	3·64	3·87
Bogra	922	2·86	2·72
Pabna	848	3·05	3·01
English Bazar ...	534	2·44	2·2
Darjeeling	1,954	·59	·7
1915-16.			
Burdwan	879	·49	·46
Suri	317	1·56	1·57
Bankura	625	1·17	·96
Midnapore	1,096	·98	·89
Hooghly-Chinsura ...	1,118	1·08	1·08
Howrah	8,0[illegible]6	·73	·66
Krishnagar	1,000	1·69	1·51
Berhampore	809	·66	·61

1915-16—concld.

Name of head-quarters Municipality	Expenditure on Primary Schools	Percentage of expenditure on primary schools on— Income.	Expenditure.
	Rs.		
Jessore	691	1·79	2·02
Khulna	515	1·76	1·76
Dacca	6,674	1·85	1·91
Mymensingh	802	1·03	1·15
Faridpur	589	1·83	1·92
Barisal	786	1·20	1·03
Chittagong	2,870	2·33	·84
Comilla	696	2·07	2·15
Noakhali	330	1·92	1·92
Rampur-Boalia ...	1,156	2·30	2·22
Dinajpur	2,531	1·33	1·18
Jalpaiguri	626	1·91	2·16
Rangpur	913	1·91	1·75
Bogra	1,092	3·2	3·08
Pabna	589	1·81	1·53
English Bazar... ...	480	2·1	2·02
Darjeeling	1,908	·61	·66

STATEMENT B.

Expenditure on Primary Education by the Calcutta Corporation.

Year	Receipts	Payments.	Expenditure on primary schools.	Percentage of expenditure on primary schools Receipts	Payments
	Rs.	Rs.	Rs.		
1911-12	91,27,640	87,38,011	46,184*	·5*	·52*
1912-13	97,04,923	96,46,074	50,057*	·51*	·51*
1913-14	1,04,19,275	1,03,31,298	48,602	·46	·47
1914-15	1,16,43,764	1,08,96,084	51,678	·44	·47
1915-16	1,14,14,080	1,10,98,520	51,433	·44	·46

* *N.B.*—These figures are for expenditure both on primary and on technical education, figures for primary education alone not being available.

By the Hon'ble Babu Bhabendra Chandra Ray :—

Apprentices in the Secretariat.

XIX. Will the Government be pleased to state—

(*i*) whether the system of retaining unpaid probationers or apprentices has been abolished in the Secretariat and its attached offices;

(*ii*) whether outsiders are retained in such offices with a view to employment temporarily in leave vacancies till they can be provided with permanent posts;

(*iii*) what is the present number of such outsiders, if any, in each office, and in what temporary vacancies are they at present employed; and

(*iv*) what are the prospects of these outsiders being made permanent?

Answer by the Hon'ble MR. DONALD :—

" (*i*) The answer is in the affirmative.
(*ii*) The answer is in the negative.
(*iii*) & (*iv*) In view of the answer to question (*ii*), these questions need no answer."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Appointment of the Deputy Director of Fisheries in Bengal.

XX. (*a*) Will the Government be pleased to state :—

(*i*) the understanding and conditions on which the Secretary of State first sanctioned the appointment of the Deputy Director of Fisheries for two years;

(*ii*) the consideration that led the Secretary of State to extend the period of service for a further period of two years, without making the appointment permanent;

(*iii*) the recommendation or representations that were made by the Local Government, upon which the appointment has since been made permanent?

(*b*) Will the Government be pleased to lay on the table all such further correspondence or papers that may throw some light upon this subject?

Answer by the Hon'ble MR. KERR :—

" (*a*) In 1911 the Secretary of State sanctioned proposals which had been submitted by the Government of Bengal for the appointment, on a two years' agreement capable of extension to four years, of a Deputy Director of Fisheries. Mr. Southwell was appointed to hold the post in December, 1911, and at the end of two years his appointment was extended for a further period of two years in accordance with the terms of his agreement.

On the expiry of the period of four years, the Government of Bengal, after considering the work which had been done and the prospects of useful work in the future, recommended that the appointment should be made permanent. In his despatch of 7th July, 1916, the Secretary of State has sanctioned a permanent appointment.

(*b*) The Government do not consider it necessary to lay on the table any papers to elucidate the facts which have been explained."

LIST OF BUSINESS—ITEM No. 3.

The Hon'ble MR. KERR, laid on the table a statement containing the information promised in his reply to clauses (*b*) and (*c*) of question No. XXV (unstarred) regarding the revolutionary movement in Bengal, asked at the meeting of the Bengal Legislative Council held on the 7th August, 1916.—*See* Appendix to these Proceedings.

STATEMENT BY HIS EXCELLENCY THE PRESIDENT.

His Excellency said :—

" Before proceeding further with the business on the paper, I wish to make a statement.

I have found, on examining the printed proceedings of the last meeting of this Council that two Hon'ble Members used in their speeches words which appear to me to convey aspersions on the Hon'ble Judges of the High Court. I regret that I did not clearly hear these words at the time when they were uttered ; if I had done so I should have called the Hon'ble Members using them to order. I wish that the Council should know this, in order that the fact that such words were allowed to pass may not be considered as a precedent."

RESOLUTIONS.

(*Under the Rules for the Discussion of Matters of General Public Interest.*)

LIST OF BUSINESS—ITEM No. 4.

The Hon'ble MAULVI ABUL KASEM, with the permission of the President, withdrew the following Resolution :—

This Council recommends to the Governor in Council that the pleaders, *mukhtars*, witnesses and parties belonging to the Muhammadan community, when attending in the Civil and Criminal Courts of the Presidency, may be allowed facilities to say their *Juma* and midday prayers, and that presiding officers may be specially instructed to grant, on request, to any person of that community, reasonable leave of absence from the Court for the performance of these religious duties.

LIST OF BUSINESS—ITEM No. 5.

The Hon'ble BABU AKHIL CHANDRA DATTA moved the following Resolution :—

This Council recommends to the Governor in Council that immediate steps be taken to protect from damage by floods the areas of land on the two sides of the Gumti river in the district of Tipperah, between Bibirbazar and Jaffarganj.

He said :—

"My Lord, the Resolution which I have the honour of moving for your Excellency's acceptance does not ask for any political concession or advancement on any other line; it is not a resolution based on sentiment; it is a very modest resolution seeking to draw the attention of Your Excellency's Government to a question which, it will be no exaggeration to say, is a question of life and death to a vast population.

The ravages of the Gumti floods are no less serious and extensive than those of the Damodar floods, but the outside world knows and hears very little of the former, the obvious reason being that East Bengal questions do not receive that amount of attention from the Calcutta press which they legitimately deserve. I am afraid there may be some even amongst the Hon'ble Members of this House who may not know anything about the annual devastation of the Gumti in the district of Tippera. But the answer by my friend the Hon'ble Mr. Green to a few questions of mine at the last meeting of the Council are quite sufficient to reveal a state of things which neither the Government nor the public can contemplate with equanimity. My Hon'ble colleagues may form some idea about the gravity of the situation from the official account furnished to us of the havoc committed by one single flood, viz., that of October last. The Hon'ble Mr. Green has told us that the flood inundated a vast tract of country extending over 100 square miles and that the loss sustained by the poor raiyats by the destruction of the standing paddy crops alone might be estimated at Rs. 6 lakhs. There is a shrewd suspicion, my Lord, in certain quarters that the Government always take an optimistic view of these matters and that the official version of such distress is not infrequently very much under estimated. This suspicion may or may not be well-founded. At all events the Government version in these matters is not that of an alarmist. And even this supposed roseate version is sufficient

[*Babu Akhil Chandra Datta.*]

to indicate the magnitude of the evil. Over and above the destruction of crops there was the damage to houses and other properties which was also not inconsiderable. Besides, the dislocation and discomfort caused by the flood can be imagined only by those who like my Hon'ble friend the Hon'ble Mr. Beatson Bell witnessed on more than one occasion the suffering of the people on the spot. All this, however, represents the effects of the floods of one year only. My Lord, we have been told by the Hon'ble Mr. Green that according to expert professional opinion the chances of breaches in the Gumti embankment are steadily increasing from year to year and that the consequent floods will not, like angels' visits, be few and far between, but an annual visitation. This is not mere speculation and theorising. As a matter of fact there have been breaches and floods every year for some years past.

Now, my Lord, I am anxious to call Your Excellency's attention to the fact that the disastrous Gumti floods are not of recent origin. The people of the doomed area have been victims of these floods from the very commencement of the British rule. I quote the following from one of the Eastern Bengal district *Gazetteers.*

Again in 1781 there were floods and the embankment along the Gumti gave way." The Resident wrote: 'The depth of water in any part of these parganas is not less than 10 feet, and in many parts is 20 feet. The memory of men does not furnish an instance of such floods.' "Meherkul seems to have suffered worst. At the time the only measures taken were to stop collections and repair the embankment, but in the following cold weather the *rabi* crop failed, and the people were left starving; 1,500 were fed daily by the Resident, but he estimated that 7,000 people died of the famine, and that 12,000 had gone away to other parts in search of relief."

"The same book gives us an account of the flood caused by breaches in the Gumti embankment in 1788, as follows :—

"In 1788 the Gumti embankment was breached, the price of coarse rice rose to 23 seers a rupee, which was considered abnormally high, and the Collector of Chittagong, sanctioned agricultural loans and temporary remissions of revenue to meet the dreadful state of the district."

We read again the following account of the floods in 1794.

"In 1794 the Gumti embankment burst again causing much damage, and the Resident proposed that it should either be levelled, or that permanent gaps should be made in it to allow the water to escape gradually when it passed a certain height."

In 1883, Mr. D. B. Horn, the then Executive Engineer, observed: "Scarcely a year passes without a breach taking place somewhere along the line, when a large tract of country is inundated, the rice crop destroyed, and the lives of the villagers and cattle more or less endangered. In 1875 a large breach occurred at Jaknipara, and but for the prompt measures adopted by the Collector there might have been great loss of life and property."

Mr. Webster, I. C. S., the author of the *Gazetteer*, observes: "At one time breaches in this embankment were so frequent and so disastrous that its abandonment was suggested, and as an alternative the north embankments from Solanel to Jatrapur was lowered in 1893 so as to allow an easier exit to the water in high flood. Even so the river level during the rains is considerably above that of the surrounding country and breaches of the embankment are not infrequent. In 1906 the embankment was breached in several places, and serious damage was caused to crops over large tracts of country. The inundations caused by the breaches at Subarnapur, about four miles above Comilla and Edharpur about eight miles below Comilla, were specially destructive."

So we find that the ravages of the Gumti flood have gone on unchecked and unmitigated for about a hundred and fifty years, that they have now come down from generation to generation and they have acquired a prescriptive

and hereditary right to destroy our crops and cattle and wash away our huts and moveables. In fact the Hon'ble Mr. Green has told us that they are now to be looked upon as ordinary incidents of the rainy season even in years of normal rainfall.

Now, my Lord, our people are quite prepared to put up with all manner of sufferings if they are due to "act of God" over which no human power has any control. There are no people on the face of the earth who know better than the fatalist peasantry of Bengal how to accept the inevitable in a spirit of perfect resignation and without any murmur on their lips. The question, however, arises, why should the Gumti problem remain unsolved for such a length of time? Is it absolutely incapable of solution? Have we got no manner of control over the Gumti floods? Is the evil absolutely irremediable? These are questions which are bound to strike the most unimaginative mind. But to our great relief we have been told by the Hon'ble Mr. Green in reply to my interpellation that according to expert opinion it is quite possible to control the floods and that the evils arising from the Gumti are not irremediable.

This leads us to the question what steps, if any, have been taken to prevent the recurrence of these disastrous floods.

The only preventive measure taken up to date is an embankment which consists of two earthen banks on either side of the river from Bibirbazar where it debouches into the plains to Jaffarganj, a distance of 20 miles. This is a very old embankment. Nobody knows when and by whom it was built up. But we have good reasons to believe that it existed before the overthrow of the Muhammadan power. It is now universally admitted by the scientist that an embankment, however valuable it may be, as a temporary measure, is in the long run a very unsound and unscientific remedy. In fact it is now an established truth that the gradually increasing intensity of the floods is due mainly to the embankment itself. It was a sovereign remedy in the beginning but judged by the after-effects it is simply suicidal. The inevitable effect of the embankment is gradually but steadily to raise the bed of the river and to raise the surface of the water above the level of the surrounding country year after year. It may be truly said of the embankment that it cures the disease but kills the patient. It leads the future generations from the frying pan into the fire. It is now long since science has condemned the system of embankment. Whatever justification, therefore, there might have been for those who constructed it as a makeshift device and temporary patch work, surely it cannot feel grateful to those who are responsible for the continuances and maintenance of it. On the 3rd March, 1883, Mr. D. B. Horn wrote "that it is unfortunate that the embankments should ever have been constructed, as they have tended to raise considerably the flood level of the river above the surrounding country, and particularly that portion of the river between Bibirbazar and Comilla. That so long as the embankments are kept up, the flood level will continue to rise and that the question of abandoning whole or part of the embankments should now be carefully considered." In the same year Mr. Vertaness remarked "that this instance of the upper portion of a river being embanked is almost unique, and, as might be expected, the results are disastrous." As soon as the suicidal after-effects of the embankment were recognised, it was the duty of the authorities to replace it or to have it replaced at once by other suitable and scientific protective works. But it is a matter of profound regret that those who are responsible for affording protection to the people failed conspicuously in the discharge of this important and sacred duty—a duty which they owed and owe to the dumb peasantry of several parganas. It is not a question of sentiment or luxury but a question literally of life and death to them. It should be remembered that the bulk of the population of this hapless and helpless tract of country is exclusively agricultural. It is a pity of all pities that during a century and a

half of British rule nothing has been done to save a vast agricultural population from the ravages of a once periodical and now annual flood—floods which the Government admits can be controlled and regulated by suitable safeguards and protective works. Was it proper, with all the modern scientific resources at our disposal, to leave so many of His Majesty's British subjects to the tender mercies of these destructive and disastrous floods?

The victims of the Gumti floods are no doubt a dumb people who only curse their fate and suffer in silence. And although there has never been any agitation over the matter still the distress caused is so widespread that it could not possibly escape the attention of the Government. It is now well nigh a hundred years that the Government fully realised the gravity of the situation and the Gumti problem is said and is supposed to have engaged the attention of the Government ever since. We have been told by the Hon'ble Mr. Green that the Government have made endeavours in this behalf from before 1845. But may I ask what were the endeavours? In what direction were they made? The very simple, cheap and ineffective scheme of a retired line of embankment have no doubt been tried in some parts. But can anybody contradict me when I say that beyond the fragments of a retired line the endeavours of the Government have been confined merely to such patchwork as the lowering and demolishing in some parts of the old embankment and the repairing of the same in certain others? The Hon'ble Mr. Green could not put his case higher than this that the Government have all along endeavoured to see that the bunds are so managed as to do as much good and as little harm as possible. Is it all that the Government owed to the people of the unprotected area? Engineer after Engineer have been deputed by the Government to inquire and report on the Gumti embankment; Conference after Conference of the highest officials have been held to consider and solve the problem. This has been going on for three quarters of a century, if not more. The reports of these Engineers and the proceedings of the Conferences, together with the Resolutions of the Government recorded thereon, have assumed unwieldy proportions and the result is now a blue book of considerable dimensions. I have carefully gone through the pages of this portentous volume. But I am constrained to observe that the study is neither profitable nor inspiring. It is one long continuous tale of mere inquiries and discussions and reports and resolutions and suggestions—a tale of remedies approved and decided upon with some preliminary steps sometimes taken to give effect to them and then disapproved and discontinued—a story of halting and half-hearted measures adopted not very enthusiastically and dropped a while after with a feeling of relief, as it were, on the excuse of a conflicting expert opinion. No man can leave the book without a feeling of keen disappointment. What an amount of time and energy has been expended upon the matter and how unprofitably! It is not even the case of a mountain in labour for we have not even had a poor mouse except those which are busy making holes in the bund of the embankment.

The schemes suggested by the professed experts are the construction of escapes and the construction of a reservoir to hold up a portion of the Gumti flood.

The Hon'ble Mr. Green has told us that the scheme of escape channels first came under the consideration of the Government in 1884. He has further told us that this scheme is still under consideration. It is certainly not a very edifying and inspiring story that the Government should have taken more than thirty years to formulate and elaborate the scheme in a matter of such momentous character. And for aught we know they have not yet come to any decision whatsoever. We are to-day exactly where we were thirty years before. In the meantime there have been breaches and floods on occasions too numerous to be detailed causing untold miseries to the public. It is impossible for us to make even a rough estimate of the loss occasioned by the destruction of crops during the time the Government have been

[*Babu Akhil Chandra Datta.*]

considering the schemes. The well-informed and moderate opinion is that the total loss in crops alone during all this time will not be less than a crore of rupees. The Hon'ble Mr. Green has told us that neither of the two schemes has been attempted up to now as they involve grave difficulties—difficulties engineering, financial and administrative. It is rather difficult to appreciate engineering difficulties. It is not a complimentary tribute to our Engineers that such difficulties should stand in our way in a matter of such supreme importance. Are we to believe that we are so bankrupt in engineering knowledge and skill that suitable steps are not taken because our Engineers do not know how to put the scheme into operation? Is it seriously suggested that our efforts have hitherto been paralysed by the conflicting opinions of our Engineers? My Lord, I, for one, have greater faith in the Engineers than the explanations of the Hon'ble Mr. Green seem to suggest. As regards the administrative difficulties we are quite in the dark as to what they really are. There are no doubt several parties concerned *e.g.*, His Highness the Raja of Hill Tipperah, the proprietor of Gangamondal and Paitkura Estates and the Assam-Bengal Railway Company. Their interests are no doubt conflicting, but the word of the Government is law unto all. The popular impression is that the third difficulty mentioned by the Hon'ble Mr. Green, *viz.*, the financial difficulty is the real and only difficulty. He no doubt says that the reasons for not attempting the scheme of escapes are only partly financial. But may I take the liberty of calling the attention of this Council to paragraph 24 of the Report of 1st June 1910, by Mr. C. A. White, the then Superintending Engineer where he says "The universal proposal has been to construct an escape with right embankments to relieve the pressure on the left embankment protecting Comilla. This proposal has so far not been carried out on account of the expense" and also to paragraph 37 of the same Report where Mr. White observed "The question of escape need not be considered because of the initial cost of the escapes and of the necessary channels." In 1884, Mr. D. B. Horn, the then Executive Engineer, remarked: "The only solution of the difficulty there is to escape the flood water above Comilla so as to reduce the flood level in the lower reach of the river to the limit of safety." There is no question of the practicability of constructing the escape, it is simply a matter of cost. As I suggested in one of my interpellations at the last meeting of the Council, the estimated damage inflicted by the flood in a single year is much greater than the cost of the most expensive scheme yet suggested. My suggestion has not been repudiated by the Government. It is only said euphemistically that no expert opinion exactly to the effect has been received by the Government. It is, however, a fact that in a note dated 6th November, 1885, Mr. J. C. Vertannes, the then Superintending Engineer, South-Western Circle, estimated that the expenses would cost roughly one to two lakhs of rupees. Was it fair to the raiyats to sacrifice crops of lakhs and lakhs only to put off a scheme which would cost no more than one or two lakhs? Economy is undeniably a great virtue, but pushed too far, it degenerates into a vice and becomes more culpable than reckless extravagance. "Penny wise and pound foolish" is a principle which should be discarded not only by individuals but also by the Government. The expert opinion is that the town of Comilla is always in danger and the town may be inundated any time during the rainy season. The result of such inundation is too dreadful to imagine. If the Government were unable or unwilling to bear the cost even then there should not have been any financial difficulty. There are so many parties all equally and vitally interested in a radical cure of the evil, and each one of them quite capable of contributing towards the costs. Even the raiyats would be willing to contribute if only we could decently ask them to do so. The divided burden would fall lightly upon them all. The financial difficulty is, therefore, more fancied than real. The fact, My Lord, is that we have not yet approached the matter with that earnestness and enthusiasm which the importance of the matter deserves and which our duty towards the agricultural population demands. *Nadi*, like *Nari* and *Nakhi* of the Sanskrit proverb may be difficult to meddle with, but after all we have got to tackle the problem. The "wait and see" policy cannot be followed *ad infinitum*. We cannot wait till Doomsday. The

[*Mr. A. Rasul; Mr. Beatson Bell.*]

Government may not be expected to proceed at break-neck pace. But surely the Agent of the Assam-Bengal Railway, not a very irresponsible person and no mean judge in the question, was perfectly justified in urging in 1910 that some definite policy should be decided upon as soon as possible and in re-iterating in 1912 his indictment against the authorities. In 1912 he complained and complained very justly of the complete want of any definite scheme for controlling the river Gumti, and the continued absence of any decision in the matter. If, in view of this *laissez-faire* policy of the Government, my friend the Hon'ble Mr. Fazl-ul-Haq were to entertain the Council with the story of the bullock and the oil pressing machine, I do not think anybody has any right to call him an extremist.

I am not, and do not pretend to be, a specialist or expert. I am not here to express any opinion about the merits or demerits of any particular scheme; I do not recommend any particular scheme in preference to any other. I have advisedly framed my resolution in such a way that it does not bind Your Excellency's Government to any specific scheme. But, My Lord, I have been specially asked and commissioned by people high and low, official and non-official, agricultural and non-agricultural, to bring to the notice of Your Excellency's Government the utter helplessness of the people and their earnest prayer that suitable and effective protective measures may be undertaken before the next rainy season. It is my most sacred duty and proud privilege to convey the people's message to Your Excellency and I have done it. The matter ends here so far as I am concerned. It is now for Your Excellency's Government to send a reply to that message for which the people are waiting with the greatest suspense. With these words, My Lord, I commend this Resolution for the acceptance of Your Excellency's Government."

The Hon'ble MR. A. RASUL said :—

"My Lord, I have great pleasure in supporting this Resolution and I endorse every word that my Hon'ble friend has said. My Lord, what he has said about public attention not being drawn to questions affecting Eastern Bengal, especially the districts of the Chittagong Division, I regret to say is a fact; and, as a matter of fact, questions affecting the districts of the Chittagong Division do not find much space in the public press of Calcutta, and I am very glad that my Hon'ble friend has drawn the attention of Government to this matter. This is a matter about which I can speak from personal experience. I happen to be an inhabitant of the district and I have seen with my own eyes the devastation made by floods and the distress caused by the floods. Therefore, I do not want to detain the Council, but I appeal to the Government that immediate steps be taken to prevent the distress and the damage caused to the area referred to in the Resolution. With these few words, I beg to support the Resolution."

The Hon'ble MR. BEATSON BELL said :—

"My Lord, the Hon'ble mover has apparently been studying a book called "Bartaman Rana-niti" or some other work on the science of modern warfare before launching this attack upon us. He has made an intense preliminary preparation by heavy artillery. At the last meeting of the Council he asked Government no fewer than 53 questions on the subject of this embankment; to all of which we replied. To-day, he has followed up his preliminary preparation by launching his attack. He need hardly have taken so much trouble for we are prepared to meet him, if not with the sign of 'hands up' at least with the cry of *Kamarati*. In other words, we are quite prepared to accept this Resolution; but in so doing, I must make the position clear. It is practically the same position as that of the rivers in the Burdwan Division and elsewhere,

about which I have so often talked to the House. The Gumti river rises in the Indian State of Hill Tipperah and flows through British India into the Megna river. At some remote period, as the Hon'ble Member has pointed out, the Gumti was embanked. Now these embankments, as we now know from the lessons of modern engineering, were an entire mistake, and they have done more harm than good; but it must be remembered that it was not the British Government who put up those embankments, nor up to now have they been declared as public embankments under the Act. We admit that they have done a lot of harm. They have unfortunately burst on frequent occasions and caused injury to the crops, but they are private embankments put up and maintained by private persons. I cannot, as Financial Member, altogether accept the proposition that because these embankments have done harm to the extent of 2 or 3 or 10 lakhs of rupees, therefore it is the duty of Government to take 2 or 3 or 10 lakhs from the tax-payers of other parts of the Province in order to make good the loss. In fact, I hardly think that my Hon'ble friend puts forward such a proposition. But although these embankments are private embankments, Government in the past have done what they could. We proposed long ago, about 1876 or 1877, to have these embankments declared as public embankments. Had that been done, Government would long ago have assumed direct responsibility. But His Highness, the then Raja of Hill Tipperah, considered that it would be more or less a slur upon him if these ancient embankments were taken out of his management and handed over to the management of the British Government. Negotiations took place and it was finally decided that we should respect the Raja's feelings and should leave the embankments in his charge. An agreement, of which I have a copy before me, was, therefore, drawn up in the year 1878 by which the Raja agreed to maintain the management of his embankments, but at the same time undertook that each year he would carry out such repairs as should be intimated to him in requisitions from the Collector or the Public Works Department. Year by year we have issued these requisitions to the Raja, and year by year he has, to the best of his ability, sometimes with considerable difficulty, carried out the requisitions. The annual cost to His Highness in recent years has varied from Rs. 10,000 to Rs. 19,000. Lower down the embankments belong not to the Raja, but to other private zemindars. Here there is no agreement but otherwise the legal position is the same. We now propose to address the present Raja and to ascertain whether he is willing to have a modification of the agreement so that in future Government may undertake direct responsibility for the embankments. I have every hope that my friend, His Highness the Raja of Hill Tipperah, will come to an amicable arrangement with Government, which will be satisfactory alike to Government and to those who live on the banks of the river. I shall take early steps to enter into correspondence with His Highness.

As the Hon'ble Mover has pointed out, the soundest way of dealing with this problem would have been to make a catchment basin in the upper reaches of the river. He has alluded to the administrative difficulties, but he professes to think that they are imaginary. Well, the plain fact is that the only possible place for a basin, as far as we can ascertain, is not in British India, but in the territory of His Highness. He has very natural objections to converting his rice fields into a lake; he has also very natural objections to the construction of a weir which would obstruct the passage of his forest produce which now floats down the river. The House will readily see that those very reasonable objections, as also the existence of the agreement of 1878 constitute administrative difficulties which are very far from imaginary. However, His Highness is well known as an enlightened Indian Prince, and I am confident that in friendly conference we shall yet solve all the difficulties. I am sure he will meet us half-way and will do all he can to secure a lasting benefit not only for the inhabitants of Hill Tipperah, but also for his tenants in British India. This is the action that we are going to take,

[*Mr. H. R. A. Irwin.*]

and we trust that it will bear good fruit. With these few words, I say on behalf of Government that we do not oppose, but welcome, this Resolution."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 6.

The Hon'ble MR. H. R. A. IRWIN moved the following tion :—

This Council recommends to the Governor in Council that steps be taken to inquire into the question of the Kurseong water-supply, with a view to abolishing the existing dual control of the catchment area and vesting such control solely in the Municipal Commissioners.

He said :—

"My Lord, I have been requested by the Commissioners of the Kurseong Municipality, of whom I have the honour of being one, to bring the matter of the Kurseong water-supply to the notice of Your Excellency's Government.

Although this question is one which very materially affects the residents of Kurseong, it may not appear on the face of it to be of sufficient importance to engage the time and attention of this Council, I think, however, a little reflection will show that such is not the case.

In the first place although Kurseong, in itself, is only one of the smaller towns of the Province, it acquires an importance, to which its size would not otherwise entitle it, from two circumstances :—

(*a*) Its geographical position right athwart the main thoroughfare between Darjeeling and the plains,

(*b*) As an important centre of education, there being no less than four large schools for Europeans and Anglo-Indians, two of which are important Government schools, to which children come from all parts of India and Burma besides several schools for Indians of different races and creeds.

Therefore anything seriously affecting the sanitary conditions of Kurseong is likely to affect the whole Province or even further afield in a greater or less degree, an epidemic breaking out there, being liable to be disseminated by travellers far and wide.

Moreover, the circumstances of the control of the water-supply in Kurseong, are very probably similar in other towns, and so this may prove to be in the nature of a test case for other Municipalities as well.

The vital importance of a pure water-supply is a matter which is, I am aware, fully recognized by Your Excellency's Government, as was brought out at a discussion inaugurated in a resolution proposed by the Hon'ble Mr. Provash Chunder Mitter at one of the recent Council meetings last year.

[*Mr. H. R. A. Irwin.*]

I make no apology, therefore, for taking up the time of the Council in considering this Resolution. The correspondence relating to this case, dating back as it does to 1905, is most voluminous and it is, therefore, impossible to go into it in detail here, but briefly stated, the facts of the case are as follows :—

The Catchment Area forms a part of what is known as the Mahalderam Forest belonging to the Forest Department, and is situated some four or five miles from Kurseong.

In June 1905 the Sanitary Commissioner after inspecting the water-supply, wrote as follows :—

"I have not the slightest hesitation in saying that this should be the sole supply of Kurseong. Some three or four square miles of Forest farming should be fenced off, to prevent contamination of the water, and the Kurseong Municipality should ask Government to give them the prescriptive right to these springs."

As a matter of fact, the area for which the Municipality are asking very little exceeds one square mile instead of the three or four recommended. The Forest Department have very strongly objected to handing over the "prescriptive rights" of this area to the Municipality, principally on the grounds of the scarcity of fuel in the vicinity of Kurseong and the necessity for preserving the forest, but I would strongly urge that a pure water-supply is of far more importance to the town than a scarcity of wood fuel for which substitutes can be found.

The Forest Department, moreover, claimed the right-of-way over the main forest road running right through the centre of the catchment area, and I would ask how is it possible to prevent pollution of the water-supply, if such a thoroughfare is permitted.

However, the dispute between the Municipality and the Forest Department led to a sort of dual control being established, and it is against this quality that I am now here to protest.

The result of this dual control has been constant friction and correspondence, the Forest Officer, not unnaturally, taking the part of his employees against the Municipality, in any disputes that have arisen. The consequence has been that complaints by the Municipal Overseer of contamination of the water-supply have remained unremedied for considerable periods, and the residents of the town have been laid open to the risk of a serious epidemic breaking out, whilst the question of the complaint is being fought out between the respective controllers of the springs.

I may here say, that the Commissioners of the Municipality, taking it for granted that no opposition to their control would be raised, went to very great expense to fence in and protect the springs ; this is now being nullified by the actions of the Forest Department. Moreover, owing to constant pollution the expense has been greatly increased, an enhanced water-rate having been levied on the rate-payers, for the installation of filters, which was not anticipated if the Commissioners had been allowed full control for purposes of protection.

As an instance of the danger of the dual control, I would refer Your Excellency's Government to an example in Darjeeling itself, where somewhat similar conditions, but with an important exception, prevail.

In May 1913, the Sanitary Commissioner, Bengal, reporting on the Darjeeling Water-Supply, owing to the Forest Department failing to carry out the conditions laid down, said that :—

"The water-supply for a considerable time was absolutely unsafe, and had it not been for a lake, which contained very pure water, the possibilities of a serious outbreak in Darjeeling were extremely good."

[*Mr. H. R. A. Irwin.*]

As regards Kurseong, the important exception, I have referred to, is that there is no lake there and the residents in a similar case would have been forced to use "the absolutely unsafe water" with the risk of "the serious outbreak."

On May 20th, 1913, the Sanitary Commissioner, Bengal, again wrote "he refused as Sanitary Commissioner to accept any responsibility for the quality of the drinking water, or its results on the inhabitants as long as the Forest Department is permitted to carry on any work in the Catchment Area."

On September 10th, 1913, the Civil Medical Officer, Kurseong, protested against the dual control system.

In a letter dated October 22nd, 1913, the Sanitary Commissioner, Bengal, wrote to the Chairman, Kurseong Municipality, that, in spite of very strict rules enforced in the Darjeeling Catchment Area, the Forest Department had neglected to comply with them, and that he considered it absolutely essential that the management of the Catchment Area should rest with the Municipality, and that everybody including Forest Officers' servants should be excluded from it.

On May 6th, 1914, the Deputy Conservator of Forests, Kurseong, wrote to the Conservator of Forests, Darjeeling, strongly protesting against closing the Forest Road through the Catchment Area; again I would ask how is the water-supply to be kept free from contamination with a road open to all Forest employees running through it.

On June 10th, 1914, the Sanitary Commissioner, Bengal, reported that the analysis of the water showed it to be "undesirably polluted."

In 1914, Colonel Clemesha, Sanitary Commissioner, Bengal, was on leave, and a Conference was held in Darjeeling on June 18th, when Major Fry, I.M.S., acted for him, and at which were present the Deputy Commissioner, Darjeeling, the Chairman of the Kurseong Municipality, the Conservator of Forests, Bengal, the Divisional Forest Officer, Kurseong, and the Sanitary Engineer, Bengal. The control of the Kurseong Catchment Area which had previously been vested in the Sanitary Commissioner, Bengal, and the Deputy Commissioner, Darjeeling, was then transferred to the Subdivisional Officer, Chairman of the Kurseong Municipality, and to the Forest Officer, Kurseong.

On his return, Col. Clemesha, Sanitary Commissioner, Bengal, wrote on February 2nd, 1915, strongly objecting to the above arrangement on the ground that the officers in question not being experts, were not competent to give an opinion on the subject of a pure water-supply.

This contention was borne out by the fact that, under this joint control, the Chowkidar at the Catchment Area was permitted to dip water out of the spring in an old tin, daily, for the supply of water to the Forest Ranger, a most obviously insanitary proceeding on the face of it.

On May 8th, 1916, the Chairman of the Kurseong Municipality wrote to the then Sanitary Commissioner, Bengal, claiming complete control of the Catchment Area by the Municipality.

During 1916, the Sanitary Commissioner, Bengal, caused frequent analysis to be made, and the following are some of his remarks on the same :—

May, 1916.—'Water had been exposed to very recent and possible dangerous pollution, due probably to an improperly controlled Catchment Area."

[*Nawab Sir Syed Shams-ul-Huda.*]

June.—" Evidence of heavy recent pollution, probably the Catchment Area has been badly polluted."

July.—" Evidence of recent pollution."

August.—" Gross recent pollution."

The above, my Lord, is I think, very ample evidence that the dual control has failed and should be abolished, and, moreover, that the Catchment Area should entirely be closed to any one but Municipal servants in the discharge of their duties. Who, I ask, is and should be responsible for the health and sanitation of a town? The obvious answer must be, the Municipal Commissioners. Is it not then anomalous that they should not have the sole control of the water-supply, one of the factors, if not the chief factor, of the same?

I maintain that it is impossible to hold the Municipal Commissioners responsible, unless the full and sole control is vested in them.

One word more, my Lord, and I have done. I believe I may be met by the reply that according to the Bengal Municipal Act, it is impossible for the Municipality to obtain the control asked for. Section 9, clause (*c*) says —" the Local Government may.....include within a Municipality any local area contiguous to the same."

The Catchment Area in question is not "contiguous" to the Kurseong Municipality, and, I presume, the inference from the wording of the section I have quoted is that the control of land not "contiguous" to a Municipality cannot be made over to the Commissioners. There is, however, another section, viz., section 35, relating to the acquisition of land. Paragraph 2 says "Land already the property of Government cannot be the subject of acquisition by Government. If a Municipality requires the use of Government land, it must apply to Government for the transfer of the same."

I am told that under this section also the Municipality cannot obtain control of the land in question; why this should be I cannot understand, as to an ordinary person the wording seems clear, that the transfer can be made by permission of Government. But, my Lord, if such contention holds good, I maintain that it is a defect in the Act, which should be amended.

Surely in England such a law cannot exist. Most of the large towns obtain their water-supply from Catchment Areas many miles distant, and surely the control of the same is vested in the Municipality? Why then should the case be different here, where a pure water-supply is of such great importance? If the law is such that the control asked for cannot be granted, I would respectfully suggest that Your Excellency's legal advisers should frame an amendment to the Act to meet the case, as Kurseong is certainly not the only Municipality which would benefit by it.

For fuller details of the case, I would refer Your Excellency's adviser to the reports and recommendations of the various Sanitary Commissioners and Civil Medical Officers from time to time, commencing from the year 1905.

In conclusion, my Lord, I trust that I have made out a clear case on behalf of the Commissioners and rate-payers of the Municipality of Kurseong, and that it may receive the favourable consideration of Government."

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA said :—

"My Lord, without expressing any opinion on the merits of the Resolution, I may say that we are quite prepared to make an inquiry, such as my Hon'ble friend desires, but we do not think it desirable that this inquiry should in any

way be prejudiced, and therefore we should like the following words to be deleted from the Resolution—

> "with a view to abolishing the existing dual control of the Catchment Area and vesting such control solely in the Municipal Commissioners."

We want to enter into the inquiry with an open mind, and I would suggest to my Hon'ble friend that if he puts the Resolution in the following form, I shall accept it:—

"This Council recommends to the Governor in Council that steps be taken to inquire into the question whether the existing system of dual control of the Kurseong Water-Supply Catchment Area should be discontinued and the control vested solely in the Municipal Commissioners"

The Hon'ble Mr. IRWIN said:—

"I am quite prepared to accept the amendment of the Hon'ble Member. All I would ask is that the result of the inquiry be laid on the table."

The Resolution was then put in the following form and agreed to:—

"This Council recommends to the Governor in Council that steps be taken to inquire into the question whether the existing system of dual control of the Kurseong Water-Supply Catchment Area should be discontinued and the control vested solely in the Municipal Commissioners."

ADJOURNMENT.

HIS EXCELLENCY—

The Council is adjourned to 11 A.M. on Monday, the 5th March, 1917, at Government House, Calcutta.

C. TINDALL,
Secy. to the Govt. of Bengal and Secy. to the Bengal Legislative Council (Offg.)

CALCUTTA;
The 29th January, 1917.

ERRATUM.

IN the List of Members present at the meeting of the Bengal Legislative Council, held on the 13th December, 1916 (shown on page 512 of Part IVA of the *Calcutta Gazette*, dated the 27th December, 1916), *delete* the entry "The Hon'ble Dr. Deba Prasad Sarbadhikari, C.I.E."

C. TINDALL,
Secy. to the Govt. of Bengal and Secy. to the Bengal Legislative Council (Offg.)

CALCUTTA;
The 25th January, 1917.

B. S. Press—19-2-1917—2749J—350—J. L. C. & F. T. R.

APPENDIX

Referred to in Item 3 of the List of Business for the Meeting of the Bengal Legislative Council, held on the 23rd January 1917.

STATEMENT SHOWING CERTAIN STATISTICS IN CONNECTION WITH ACCUSED PERSONS CONCERNED WITH THE REVOLUTIONARY MOVEMENT IN BENGAL.

WEST BENGAL, 1905—1910.

BALASORE.

Serial No.	Section of Law.	ACCUSED. Name.	Father's name.	Residence: Village.	Residence: Thana.	Residence: District	Result of trial: Convicted	Result of trial: Discharged or acquitted	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
1	19 (c) and (f) Act 11 of 1878 and section 448, Indian Penal Code.	Lalit Mohan Ganguli *alias* Gangopadhya.	Kedar Nath Gangopadhya	Uplati Bazaspur ..	Kirna	Burdwan .	Convicted and sentenced to one year's rigorous imprisonment and three months' rigorous imprisonment.		19th February 1909; 19(f) Arms Act.	
2	Ditto ...	1. Gangadhar Ghattak ..	Ananda Prasad Ghattak	Mirzapur . .	Kotalpur ..	Bankura ..	.	Acquitted	24th May 1909.	
		2. Atul Kant Pal ..	Purna Chandra Pal	No. 19, Ram Mohan Saha's Lane Sikha Street.	. ..	Calcutta	...	Ditto ..	Ditto	

BANKURA.

3	448, Indian Penal Code	1 Ganga Naram Misser	Satrughan Misser .	Bagbahal	Sonamukhi	Bankura ..	.	1	..	Was sent up for trial but acquitted for want of evidence.
		2 Sarat Chandra Mahadani	Jagabandhu Mahadani .	Sonamukhi ..	Ditto .	Ditto	..			
		3. Gato Addi ..	Ratan Addi .	Ditto	Ditto ...	Ditto	.	.		
		4. Manohar Das ..	Purna Chandra Das	Ditto .	Ditto	Ditto	...			
		5. Ashutosh Datta	Atul Behari Datta .	Ditto .	Ditto	Ditto ..				Nos. 2 to 7 were not sent up for want of evidence.
		6 Dhruba Narain Biswas	Lal Behari Biswas ...	Ditto	Ditto .	Ditto ..	.	..		
		7. Satish Chandra Pal	Natabar Pal	Ditto	Ditto	Ditto ...			.	
4	402-339 109, Indian Penal Code.	1. Surendra Nath Mukherji *alias* Umesh Chandra Mukherji	Haribar Mukherji, deceased	Bankura	Bankura .	Bankura	.	1		This case was withdrawn owing to the death of the appellant. Noren Ghosal and accused were discharged.
		2. Ramdas Chakrabartti	Sitaram Chakrabartti	Panbazaram	Bankura .	Ditto .	....	1	..	
5	402 & 398 109, Indian Penal Code.	1 Rai Charan Dhabal	Nimani Dhaba	Ambikanagar .	Khatra .	Bankura ..	...	1	.	This case was withdrawn owing to the death of the appellant Noren Gossain
		2. Hrishikesh Datta	Gurru Charan Datta .	Ditto	Do	Ditto .	...	1		
		3. Peharam Charani	Nathar Chand Chatarji .	Ditto	Do .	Ditto .	....	1		
		4. Panu Namato .	Kanta Namato .	Ditto .	Do. ...	Ditto ...	..	1	..	
		5. Rasbehari Dhopa ..	Shibo Dhopa ..	Ditto .	Do. ..	Ditto .	...	1	.	
		6 Panu Bagdi .	Ram Bagdi ..	Ditto	Do ...	Ditto ..	...	1	.	

BURDWAN.

Serial No.	Section of Law	ACCUSED		RESIDENCE.			RESULT OF TRIAL.			REMARKS.
		Name	Father's name.	Village.	Thana.	District.	Convicted.	Discharged or acquitted.	Date and section	
1	2	3	4	5	6	7	8	9	10	11
6	342 and 380, Indian Penal Code.	1. Raj Krista Dikshit	Jugal Kishor Dikshit	Rampur Manker	Galsi	Burdwan	1	..	19th January 1906, section 380/109, Indian Penal Code.	
		2. Thaka Bairagi	Bhanab Das	Rampur	Do	Ditto	1		30th April 1906; section 380, Indian Penal Code.	
		3. Bipin Dome	Dharam Dome	Jagatpur	Do.	Ditto	1	...		
		4. Rakhal Bawri	Bhuban Bawri	Manker	Do.	Ditto	1	..		
		5. Tarak Bhattacharji		Do.	Do.	Ditto	..	1	30th April 1906; section 253, Criminal Procedure Code.	
7	143, Indian Penal Code.	1. Nani Gopal Mukharji 2. Brindaban Mukharji 3. Balai Chand Ganguli 4. Gour Goswami 5. Santosh Banarji All boys.		Bagnapara	Kalna	Ditto	..	5	3rd August 1906, section 345, Criminal Procedure Code. Case declared true under section 323, Indian Penal Code.	
8	379, Indian Penal Code.	1. Manindra Nath Ghosal	Potish Nath Ghosal	Dainhat	Katwa	Ditto	.	1	10th November 1906; section 258, Criminal Procedure Code.	
		2. Indrapada Chatarji	Kartick Chandra Chatarji	Ditto	Do.	Ditto	..			
		3. Ramranjan Das 4. Purushottam Ghosal. All boys of Dainhat High English School.	Nabin Chandra Das				..	3	31st October 1906; section 253, Criminal Procedure Code. Case declared true under section 379, Indian Penal Code.	

CALCUTTA.

9	353, Indian Penal Code.	Sarath K. Basu ...	Hara Kumar Basu	No. 32, Kansaripara Road Calcutta			Convicted	...	24th January 1906, Fined Rs. 50 under section 283, Indian Penal Code and fined Rs. 100 under section 353 Indian Penal Code, and bound down under section 106, Criminal Procedure Code, with two sureties for Rs. 200 each by the Police Magistrate, Alipore.	Bhowanipur picketing case.

10	353, Indian Penal Code.	Narendra Nath Sen	Kali Prasanna Sen ..	No. 2, Sambhu Nath Pandit's Hospital Lane, Calcutta	Ditto		24th January 1906. Fined Rs. 100 under section 353, Indian Penal Code, and bound down under section 106, Criminal Procedure Code, for 6 months with two sureties of Rs. 200 each by the Suburban Police Magistrate, Alipore.	Ditto	ditto
11	Ditto ...	Subodh Ch. Ghosh ..	Purna Chandra Ghosh	No. 37, Paddapukur Road, Calcutta	Ditto		24th January 1906. Fined Rs. 100 under section 353, Indian Penal Code, and bound down under section 106, Criminal Procedure Code, for 6 months with two sureties for Rs. 200 each by the Suburban Police Magistrate, Alipore.	Ditto	ditto.
12	Ditto ..	Sudhish Chandra Mitra Bahadur.	Rai Jogesh Chandra Mitra	No. 9, Paddapukur Road, Bhowanipur, Calcutta		Acquitted	The accused having tendered an apology the case was withdrawn and the accused acquitted by the Suburban Police Magistrate Alipore	Ditto	ditto.
13	Ditto	1. Prankumar Mitra .. 2. Danku Behari Banarji 3. Jugal Kishor Ghosh	Hem Chandra Mitra ... Debendra Nath Banarji Bipin Behari Ghosh	No. 6, Gour Mohan Ghosh's Lane, Bhowanipur No. 55 Balaram Bose's 1st Lane .. .. No. 30 Pran Nath Pandit's Street	Convicted Ditto Ditto	... .. 	16th April 1907. All were convicted under section 353, Indian Penal Code, and bound down, for 6 months with one surety for Rs. 50 under section 562, Criminal Procedure Code, by the Suburban Police Magistrate Alipore.	Pickering case.	
14	224, Indian Penal Code.	Gopendra Chandra Basu.	Probodh Chandra Basu ...	Paddapukur Road, Bhowanipur ...	Ditto	..	16th April 1907. Convicted under section 224, Indian Penal Code and bound down for 6 months with one surety for Rs. 100 under section 562, Criminal Procedure Code, by the Suburban Police Magistrate, Alipore	Ditto.	
15	Press Act ...	Srimanta Ray Chaudhuri...	Gour Gopal Ray Chaudhuri	No. 7, Santiram Ghose's Street, Calcutta ..	Ditto	...	Fined Rs. 15 on 3rd July 1907	'Sonar Bangla' case.	
16	Ditto	Keshab Chandra Sen Gupta	Nobin Chandra Sen Gupta	Ditto ... . Hooghly . Hooghly	Ditto	...	Fine of Rs. 450 or in default 6 months' rigorous imprisonment on 3rd July 1907	Ditto	ditto

CALCUTTA—*contd.*

Serial No.	Section of Law.	ACCUSED					RESULT OF TRIAL.			REMARKS.
		Name.	Father's name.	RESIDENCE. Village.	Thana.	District.	Convicted.	Discharged or acquitted.	Date and section	
1	2	3	4	5	6	7	8	9	10	11
17	ress Act ...	Basudev Bhattacharji, Editor "Sonar Bangla."	Joydeb Bhattacharji	Chakdighi ...	Chakdighi ..	Burdwan ..	Convicted ...	.....	Fine of Rs. 200 or in default 4 months' rigorous imprisonment on 13th July 1907.	"Sonar Bangla" case.
18	124 A. Indian Penal Code.	Bhupendra Nath Datta, Editor, "Yugantar."	Mohendra Nath Datta	No. 3, Gour Gopal Mukharji's Lane, Calcutta ...			Ditto	.....	One year's rigorous imprisonment on 24th July 1907.	"Yugantar," first prosecution
19	353. Indian Penal Code.	1. Manik Lal De ...	Nobin Chandra De	No. 52, Mochua Bazar Street, Calcutta			Ditto ...	.....	Fourteen days' rigorous imprisonment and fined Rs. 50 each by the Chief Presidency Magistrate, Calcutta on 16th September 1907.	Affray in Police Court at time of trial of first "Bande Mataram" case.
		2. Sachindra Nath Mukharji.	Dwarka Nath Mukharji	.....	...	.	Ditto ..	...		
		3. Pramatha Nath Chatterji.	Prasanna Kumar Chatterji	.....	.....	...	Ditto ..	.....		
20	Ditto	1. Jotish Chandra Ray ..	Amrita Lal Ray ...	No. 36, Pathuriaghata Street, Jora Bagan, Now at Rangpur.			Ditto	.....	26th August 1907. One month's rigorous imprisonment.	Assault at time of search of "Yugantar" office prior to second prosecution.
		2. Sailendra Nath Basu	Kedar Nath Basu	Ariellia ...	Baduria ...	24-Parganas	Ditto	...	Three months' rigorous imprisonment.	
21	332. Indian Penal Code.	Sushil Kumar Sen	Kailash Chandra Sen	Beneychang .. Beneychang ... Sylhet. No. 125-3-1, Kerani Bagan, Calcutta ...			Ditto	...	27th August 1907. Fifteen stripes by the Chief Presidency Magistrate, Calcutta.	Affray at time of trial of Bepin Chandra Pal.
22	124 A Indian Penal Code.	Basanta Kumar Bhattacharji, publisher of "Yugantar."	Sashi Bhusan	No. 4-5, Madan Mitra's Lane, Calcutta			Ditto	.....	2nd September 1909. Two years' rigorous imprisonment and fined Rs. 1,000, in default 6 months' rigorous imprisonment.	"Yugantar," second prosecution
23	332. Indian Penal Code.	Jatindra Nath Banarji ...	Shama Ch. Banarji	No. 1, Krishna Laha's Lane, Calcutta			Ditto	. ...	13th September 1907. Sentenced to 15 days' rigorous imprisonment by the Chief Presidency Magistrate and fined Rs. 50.	Affray at conclusion of trial of Bepin Chandra Pal.
24	353. Indian Penal Code.	Suresh Chandra Ray ...	Sital Chandra Ray ..	No. 67, Manuktalla Street, Calcutta			Ditto	.....	11th September 1907. One week's rigorous imprisonment and fined Rs. 50 by the Chief Presidency Magistrate, Calcutta.	Ditto ditto.

25	124 A, Indian Penal Code.	1. Apurba Krista Basu, printer and publisher of "Bande Mataram."	Akhay Kumar Basu	No. 2, Creek Row, Calcutta	Convicted		23rd September 1907. Three months' rigorous imprisonment.	First "Bande Mataram" case.
		2. Arabinda Ghosh, Editor, "Bande Mataram."	K. D. Ghosh ...	No. 12, Wellington Square, Calcutta	.....	Discharged	...	Ditto ditto.
		3. Hemendra Prashad Bagchi.	Nagendra Nath Bagchi ...	Krishnagar, Nadia	.....	Ditto	...	Ditto ditto.
26	178 and 179, Indian Penal Code.	Bepin Chandra Pal ...	Ram Chandra Pal	Raita, Habiganj, Sylhet, and No. 123 1, Russa Road	Convicted	...	10th September 1907. Six months' simple imprisonment.	Refusal to give evidence in "Bande Mataram" first prosecution.
27	147, 148 and 326, Indian Penal Code.	1. Satya Charan Daw ...	Benode Behari Daw	No. 5, Dina Bakhi's Lane	Ditto		11th December 1907. Seven years' transportation by Hon'ble Mr. Justice Holmwood, Calcutta, Sessions.	At the time of the Beadon Square riots these youths, members of a *jatra* party, assaulted Sergeant Walters and cut off his right hand with a *khori*.
		2. Ram Kamal Missir	Ram Chabila Missir	No. 197, Chitpur road, Calcutta		Acquitted ...	..	
		3. Jogin Chandra Das ...	Shib Chandra Das	No. 67, Beniatolah Lane, Calcutta	Convicted		11th December 1907. Bound down under section 562 Criminal Procedure Code, for one year by Calcutta Sessions.	
		4. Hemangshu Shekar Kath.	Chaudra Shekhar Kan	No. 159, Cornwallis Street, Calcutta, and Dhamsi, police station Sabhor, Dacca				
		5. Bhima Chandra Banarji	Krista Banarji ...	No. 62, Pentatolla, Calcutta				
		6. Hem Chandra Das ...	Hari Mohan Das	No. [illegible] Pentatolla, Calcutta				
28	124 A, Indian Penal Code.	Baikanta Nath Acharji, printer and publisher of "Yugantar."	Radha Charan Acharji	Kishorganj ... Kishorganj ... Mymensingh; No. 65, Mehuabazar Street	Ditto		18th January 1908. Two years' rigorous imprisonment and fined Rs. 1,000 or 6 months' rigorous imprisonment.	"Yugantar" third prosecution.
29	Ditto	Monmohan Ghosh, printer of "Navasakti."	Chandra Kumar Ghosh	Shirkhare Bazar ... Faridpur ... No. 41, Sikdar Bagan Street, Calcutta	Ditto		19th February 1908. Six months' rigorous imprisonment and fined Rs. 1,000. Sentenced in default to four months' rigorous imprisonment.	"Navasakti" prosecution.
30	353, Indian Penal Code.	Jotindra Nath Ray, student, Presidency College.	Beni Madhab Ray	No. 11, Ramakrishnabad Boys Lane, Sukea Street, Calcutta; Ganga Nagar ... 24-Parganas	Ditto ...		4th May 1908. Fined Rs. 100 in default three months' rigorous imprisonment and to furnish two sureties of Rs. 500 each to be of good behaviour for 6 months by the Chief Presidency Magistrate, Calcutta.	Obstructing police when taking away explosives from Maniktala Garden.
31	124 A, Indian Penal Code.	Mahendra Nath Charanji, printer of "Sandhya."	Tarakanath Charanji	Pamsa Khanda ... 24-Parganas ... No. 24, Subhaman Das's Lane, Calcutta	Ditto		19th March 1908. Two years' rigorous imprisonment and fined Rs. 1,000 or to 6 months' rigorous imprisonment.	"Sandhya" third prosecution.

CALCUTTA—*contd.*

Serial No.	Section of Law.	ACCUSED: Name.	ACCUSED: Father's name.	RESIDENCE: Village	RESIDENCE: Thana.	RESIDENCE: District.	RESULT OF TRIAL: Convicted.	RESULT OF TRIAL: Discharged or acquitted.	RESULT OF TRIAL: Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
32	124A. Indian Penal Code.	Phanindra Nath Mitra, printer of "Yugantar."	Nagendra Nath Mitra ..	Panihati .. No. 68, Manik la Street, Calcutta	Khurda ...	24-Parganas ...	Convicted ...	...	26th May 1908. One year and 11 months' rigorous imprisonment and fined Rs. 1,000 or sentenced in default to 6 months' rigorous imprisonment.	"Yugantar" fourth prosecution.
33	353 and 143, Indian Penal Code.	1. Surendra Nath Ghosh 2. Radha Pada Mazumdar 3. Panna Lal Chatarji 4. Indra Bhusan Sen and 15 others (names unknown).	Kali Kumar Ghosh ... Radha Madhab Mazumdar Debendra Nath Chatarji Girindra Nath Sen ...	No. 28, Shampukur Street, Calcutta Hazuri Mull's Tank Lane ... No 155, Upper Chitpur Road, Calcutta No. 24-1, Madhu Roy's Lane ..			Ditto ... Ditto ... Ditto ... Ditto ..	.. ..	11th July 1908. No. 1 fined Rs. 60; No. 2 fined Rs. 20; No. 3 fined Rs. 40, and No. 4 fined Rs. 20; and all bound down for one year on a security of Rs. 500 each.	"Protapaditya" riot case.
34	19(*f*) of Act XI of 1878.	Tara Nath Ray Chaudhuri	Gokul Ray Chaudhuri ..	Lanchar, Noakhali, and No 4, Raja's Lane, Calcutta		...	.....	...	Absconded. Tried on arrest and sentenced to 3 years' rigorous imprisonment on 19th May 1910 by the High Court Sessions	Case connected with Alipore bomb case.
35	124 A. Indian Penal Code.	Phanindra Nath Mitra ..	Khagendra Nath Mitra ..	Panihati	Khurda ...	24-Parganas ...	Convicted	.....	22nd July 1908. Three years' rigorous imprisonment by the High Court Sessions.	"Yugantar." fifth prosecution
36	19 and 20 of Act XI of 1878.	1 Nagendra Nath Gupta	Ganga Gobinda Gupta .	Bidgaon		Dacca	Ditto	.	7th August 1908. Seven years' rigorous imprisonment by the High Court Sessions.	Case connected with Alipore bomb case. No. 3. Harrison Road, was one of the anarchist's arsenals.
		2. Dharani Nath Gupta... 3. Ashoke Chandra Nandi 4. Bijay Ratna Sen Gupta 5. Mati Lal Basu ... 6. Ullaskar Datta .	Mahendra Nath Nandi ... Isvar Chandra Sen Gupta Joti Lal Basu ... ... Durga Das Datta .	Kalukocha .. Bidgaon .. .. Narail . . Kalukocha . . .	.. Narail	Tippera ... Dacca ... Jessore . Tippera	.... Convicted . ..	Discharged ... Ditto ... Ditto	.... 7th August 1908. Seven years' rigorous imprisonment by the High Court Sessions.	
37	124 A. Indian Penal Code	Birendra Nath Banarji, printer of "Yugantar."	Harendra Nath Banarji ..	Akalposh . .	Kalna ...	Burdwan ..	Ditto	.....	18th August 1908. Three years' rigorous imprisonment by the High Court Sessions.	"Yugantar." sixth prosecution.

38	457 and 380, Indian Penal Code.	1. Khoges Chandra Ghosh	Bipin Behari Ghosh	No. 32-12, Kali Prasad Datta Street, Calcutta	Ditto		21st October 1908. Two months' rigorous imprisonment	Theft of jewels, etc. for national fund by members of the Jubak Mandali Samiti.
		2. Anukul Chandra Ghosh	Ditto	Ditto ditto	Ditto	...	One month's rigorous imprisonment.	
		3. Braja Lal Banarji	Sita Nath Banarji	No. 34, Goabagan Lane, Calcutta	Ditto	...	Fined Rs. 75 or two months' rigorous imprisonment by the 4th Presidency Magistrate.	
39	323, 326 and 117, Indian Penal Code.	Surendra Nath Banarji *alias* Panna Lal Banarji.	Nanda Lal Banarji	No. 21, Durga Charan Mitter's Street, Calcutta ... Maulpore .. Naihati .. 24-Parganas	Ditto	...	7th December 1908. One years rigorous imprisonment by the Chief Presidency Magistrate.	Seditious speech in Beadon Square advocating murder of police officers.
40	109, Criminal Procedure Code.	Nibarau Chandra Bagchi *alias* Muhammad Kazem	Sailendra Nath Bagchi	No. 1, Dwarka Nath Tagore's Street, Calcutta	..		3rd December 1908. Ordered to execute a bond to be of good behaviour, and in default sentenced to one year's rigorous imprisonment by the 4th Presidency Magistrate	Accused was a false political informer
41	307, Indian Penal Code	Jatindra Nath Ray Chaudhuri.	Debendra Nath Ray Chaudhuri, pleader, Barasat Court.	No. 5, Chaudhuri's Lane, Calcutta at Barasat 24-Parganas	Convicted		25th November 1909. Ten years rigorous imprisonment by the High Court Sessions	Attempt to murder His Honor the Lieutenant Governor of Bengal.
42	302, Indian Penal Code.	1. Satyendra Nath Basu	Abhoy Charan Basu	Colonelgolah .. Midnapore	Ditto	...	Sentenced to death by the High Court	Murder of Narendra Gossain, approver, Alipore bomb case
		2. Kanai Lal Datta	Chunni Lal Datta	Serampore .. Hooghly	Ditto	...		
43	124, Indian Penal Code.	Bishnu Indra Sen, printer "Bande Mataram"	Kali Nath Sen	No. 23, Harkara Lane, Calcutta Sinna Krishnagar Hooghly	...	Warned and discharged	11th January 1909 ..	Bande Mataram second prosecution
44	302, Indian Penal Code.	Charu Chandra Bisu	Kisori Lal Bisu	No. 15, Gossa Lane, Bhowanipur, Kangrar	Convicted		Sentenced to death by the High Court.	Murder of Babu Ashutosh Biswas, Public Prosecutor, Alipore
45	124 A. Indian Penal Code.	Kiran Chandra Muskarji, printer and publisher of "Pantha."		No. 68, Manikrala Street, Calcutta Bhugar Bar . Abhoynagar Jessore	Ditto		23rd February 1909. Eighteen months' rigorous imprisonment.	Seditious book printed at "Yugantar" Press.
46	Ditto ...	Kali Charan Basu, printer and publisher of "Hunkar," attached to the "Sakha" Press	Srimati Basu	No. 34, Musamanchara Lane, Calcutta Naihati ... .. Dasna Midnapore	Ditto		3rd March 1908, fined Rs. 20, 16th March 1909, bound down under section 108 Criminal Procedure Code, for one year.	Hira Lal Sen, the author of "Hunkar," was sentenced to 18 months' rigorous imprisonment under section 124 A, Indian Penal Code, at Khulna on 8th December 1908.

CALCUTTA—*contd.*

Serial No.	Section of Law	ACCUSED. Name.	Father's name	RESIDENCE. Village.	Thana.	District.	RESULT OF TRIAL. Convicted	Discharged or acquitted.	Date and section.	REMARKS
1	2	3	4	5	6	7	8	9	10	11
47	124 A. Indian Penal Code.	1. Kunja Behari Gangali	Ishan Chandra Ganguli ...	Ghoshal Chauz ..	Uluberia ..	Howrah .	Convicted	....	Absconded and subsequently surrendered on 10th June 1910. Sentenced to one years' rigorous imprisonment by Chief Presidency Magistrate on 12th July 1910. Unexpired portion of sentence remitted by Lieutenant-Governor on 9th September 1910	"Matripuja" play prosecution
		2. Jaoi Prashan Gangali	Bipin Behari Gangali ...	Ditto ...	Ditto ...	Ditto ...	.....	Discharged as minor...	.....	
		3. Nabin Chandra Pal ("Matripuja").	Sarup Chandra Pal ...	No. 70, Baranashi Ghosh's Street, Calcutta Raita . ..	.. ..	.. ...	Convicted ...	..	Fined Rs 200 by the Chief Presidency Magistrate on 19th April 1909	Ditto.
48	Ditto .	1 Hari Pada Chatarji 2. Debendra Nath Bhattacharji.	Prem Chand Chatarji Sreenath Bhattacharji ..	No. 82, College Street, Calcutta ... No. 65, College Street, Calcutta ..		... ...	Ditto	.....	15th June 1909. Fined Rs 10 each by the Chief Presidency Magistrate.	Production of seditious play "Ranjitar-Jiban-Jogya."
		3 Abinash Chandra Basu	Bipra Das Basu ...	No 81, College Street, Calcutta ...	...	...				
49	341 Indian Penal Code.	Chandra Kanta Biswas ...	.....	No 3, Mitter's Lane, Jorasanko, Calcutta		... ...	Ditto	...	30th October 1907. Two months' rigorous imprisonment and fined Rs. 100 in default to undergo one months rigorous imprisonment by the 4th Presidency Magistrate, Calcutta	Obstruction on Partition Day.
50	121 and 121A, Indian Penal Code.	1. Barindra Kumar Ghosh.	D. K. D. Ghosh	Ghoshpara	Konnagar ...	Hooghly ..	Ditto	.....	23rd November 1909; 121A, Indian Penal Code.	Transportation for life.
		2 Ullaskar Datta .. 3. Upendra Banarji ...	Dwinadas Datta ... ... Ram Nath Banarji ...	Kalikacha .. ... Gondalpara	Brahmanbaria	Tippera ... French Chandernagore.	Ditto ... ... Ditto	... .	Ditto ... Ditto ..	Ditto. Ditto.
		4. Hem Chandra Das ...	Kshetra Mohan Das ...	Kulhanagore ...	Narainpur ..	Midnapore ...	Ditto	.. ...	Ditto .	Ditto.
		5. Bibhuti Sarkar ...	Sarada Chandra Sarkar ...	Santipore	Santipore ...	Nadia ...	Ditto	.....	Ditto ...	Transporation for 10 years.
		6. Hrishikesh Kanjilal... 7. Indra Bhusan Ray ...	Amar Nath Kanjilal ... Tarak Nath Ray	Chatra ... . Srifalpola	Serampore ... Khulna ...	Hooghly .. Khulna ...	Ditto ... ... Ditto	....	Ditto .. Ditto ...	Ditto Ditto.
		8. Sudhir Sarkar ...	Prasanna Kumar Sarkar	Labhikul... ... .. Khajara	Pangsa ..	Faridpur ...	Ditto	.. ..	Ditto .	Transportation for life

9.	Abinash Bhattacharji	Uma Ch. Bhattacharji ...	Arcella	Badaria	24-Parganas	Ditto		Ditto	Ditto	
10.	Paresh Chandra Mallik	Jadu Ch. Mallik ...	Rajnagar ...	Magura	Jessore	Ditto	....	Ditto	Ditto	
11.	Sisir Kumar Ghosh ...	Tarini Ghosh	Sagardari	Keshubpur	Do	Ditto	....	Ditto	Five years' rigorous imprisonment.	
12.	Nirapada Ray ...	Rajani Kanta Ray ...	Bagachia ...	Santipore	Nadia	Ditto		Ditto	Ditto.	
13.	Balkrishna Hari Kane	Hari Apaji Kane	Yeotmal	Berar	Central Provinces			23rd November 1909.	Ditto.	
14.	Asoke Chandra Nandi	Mahendra Chandra Nandi	Kalivacha	Brahmanbaria	Tippera				Died during hearing.	
15.	Sailendra Nath Basu	Kedar Nath Basu	Arbelia	Badaria	24-Parganas	Convicted		18th February 1910	Five years' rigorous imprisonment.	
16	Indra Nath Nandi	S. C. Nandi	No. 37, College Street, Calcutta				1	Ditto.		
17	Susil Kumar Sen	Kailash Chandra Sen	Bemagau	Bemagau	Sylhet		1	Ditto.		
18.	Birendra Chandra Sen.	Ditto	Ditto	Ditto	Do.	Convicted	...	1st February 1910; 121A, Indian Penal Code.	Seven years transportation	
19.	Nalini Kanta Sarkar Gupta.	Rajani Kanta Gupta ...	Harowa	Ratandia	Faridpur		1	6th May 1909.		
20.	Sachindra Kumar Sen	Debendra Nath Sen	Sonargaon	Munshiganj	Dacca		1	Ditto		
21.	Kunja Lal Shaha	Ram Lal Shaha	Mozampur	Kusiara	Nadia		1	Ditto.		
22	Bejoy Kumar Nag	Bejan Bihari Nag	Bansbari	Bagirhat	Khulna		1	Ditto		
23	Narendra Nath Bakshi	Umesh Chandra Bakshi	Mathpole	Mahalerum	Rajshahi		1	Ditto		
24	Purna Chandra Sen	Jogendra Nath Sen	Tamluk	Tamluk	Midnapore		1	Ditto		
25.	Hemendra Nath Ghosh	Rai Charan Ghosh	Sagardari	Keshubpur	Jessore		1	Ditto		
26.	Arabinda Ghosh	Dr. K. D. Ghosh	Ghoshpara	Kotalipara	Hooghly		1	Ditto.		
27	Dindayal Basu	Kedar Nath Basu	Arbelia	Bhadaria	24-Parganas		1	Ditto		
28.	Birendra Nath Ghosh	Trailokya Nath Ghosh	Sagardari	Keshubpur	Jessore		1	Ditto		
29	Dharani Nath Gupta	Girija Prasanna Gupta	Bidgaon	Munshiganj	Dacca		1	Ditto		
30.	Narendra Nath Gupta	Ditto	Ditto	Ditto	Do		1	Ditto		
31.	Hem Chandra Sen	Kailash Chandra Sen	Bemagaon	Bemagaon	Sylhet		1	Ditto		
32	Debabrata Basu	Ashutosh Basu	No. 55-3 Grey Street, Burra Bazar, Calcutta				1	Ditto		
33	Nikileswar Ray Mouik.	Umesh Chandra Ray Mouik	Dhamrai	Savar	Dacca		1	Ditto.		
34.	Benoy Bhattacharji	Krishna Das Vidyabagish.	No. 10 Ram Sankar Lane, Chowringhee, Calcutta				1	Ditto		
35	Pravash Chandra Deb *alias* Manick Lal De	Nabin Chandra De	No. 52 Machuabazar Street, Sikeri Street, Calcutta				1	Ditto.		
36.	Krista Jiban Sanyal	Kali Krista Sanyal	Kansat	Sibganj	Malda		1	18th February 1910, 121A, Indian Penal Code.		
37.	Isara Nath Ray Chaudhuri	Gopal Ray	Lamchar	Shibpur	Noakhali			19th May 1910 19/6, Arms Act	Three years' rigorous imprisonment. Under Sec. 26 Howrah gang case.	
38	Harish Ghosh	Gyan Chandra Ghosh	Taki	Hossainabad	24-Parganas				Sentenced	
39.	Chandra Kanta Chakrabarti	Kali Kinkar Chakrabarti	Gora	[illegible]	Bakarganj				Absconding.	
40.	Jogish Chandra Mazumdar.	Prakash Chandra Mazumdar	Pandanga	Jhenidah	Jessore				Ditto	
41	Pandurang Mahadeb Bapat	.....	Ahmednagar, Bombay						Ditto	
42	Bhola Bhusan Mitra	Shama Charan Mitra	Balaram	Kaliganj	Jessore	1		24th Feb. 1910, 121A, Indian Penal Code.	Five and a half years rigorous imprisonment	
43.	Narendra Gossain	Debendra Nath Gossain		Sonamukhi	Hooghly				Approver. Magistrate's trial.	
44.	Kanai Lal Datta	Chuni Lal Datta	Tangiara	Ditto	Ditto	1			Executed for the murder of Nirod Gossain during progress of case.	
45.	Bejay Ratna Sen Gupta.	Gopal Chandra Sen Gupta	Sagorna	Faridpur	Faridpur	...	1			
46.	Mati Lal Basu	Paresh Nath Basu	Simuria	Narail	Jessore		1			

CALCUTTA—*concld.*

Serial No.	Section of Law.	ACCUSED. Name	Father's name	RESIDENCE. Village.	Thana	District.	RESULT OF TRIAL. Convicted.	Discharged or acquitted	Date and section	REMARKS
1	2	3	4	5	6	7	8	9	10	11
	[*Vide* serial No. 56]	47 Khudiram Basu	Trailokya Nath Basu	Mohabani	Midnapore	Midnapore	....	..		Executed during the course of this trial *vide* Muzaffarpur bomb outrage
		48. Satyendra Nath Basu	Abhay Charan Basu	Colonelgola	Ditto	Ditto	...	..	..	Executed while under trial for murder of Norem Gossain.
		49. Jatindra Nath Banarji *alias* Niralamba Swami.	Kali Das Banarji	Channa	Ghusi	Burdwan	..	1	...	
		50 Charu Chandra Ray	Dayal Chandra Ray		French Chandernagore			1	....	
51	302, Indian Penal Code	1 Khudiram Basu	Trailokya Nath Basu	Mohabani	..	Midnapore	Convicted		9th August 1908; 302, Indian Penal Code	Executed on the 11th August 1908.
		2. Prafulla Chaki *alias* Dinesh Chandra Ray	Raj Narain Chaki	Bihar	Sibganj	Bogra	..		..	Committed suicide on the 2nd May 1908
52	Incitement to Offences Act, VII of 1908.	...					Confiscation of the Classic Press where "Sandhya," was printed, No. 48-1, Corporation Street. Proprietor—Behari Lal Chakravarti			
53	Ditto	..		...		...	Confiscation of the "Bande Mataram" Press where "Bande Mataram" was printed, No. 2-1, Creek Row Proprietor—Subodh Mallik	..	..	
54	Ditto	....	...	...	....	..	Confiscation of the "Janardan" Press where "Prabhat" was printed, No. 27-1, Russa Road, Bhowanipore, Calcutta.		...	
55	124 A, Indian Penal Code.	Nirode Baran Das	Kasi Nath Das	Kayar	Burdwan	Burdwan	One year's rigorous imprisonment.	....	12th February 1910	Reduced to six months on appeal on the 3rd June 1910.
56	302, Indian Penal Code.	Birendra Nath Datta Gupta.	Uma Charan Datta Gupta	Bangaon	Munshiganj	Dacca	Convicted	..	21st February 1910	Sentenced to death by the Calcutta High Court Sessions.
57	124 A, Indian Penal Code.	1. Muhammad Ismail Shirazi.	Baka Ali	Seraiganj	Seraiganj	Pabna	Two years' rigorous imprisonment.	..	14th September 1910.	
		2. Bijat Nath Palit	Haladhar Palit	Padduaga	Tangail	24-Parganas		Acquitted	2nd June 1910.	

58	Ditto ..	1. Arabinda Ghosh ..	K. D. Ghosh ..	Konnagar	Konnagar	Hooghly	Absconded			Case since withdrawn
		2. Man Mohan Ghosh	Chandra Kumar Ghosh ..	Sherkhara Netra ..	Rahari Diamond Harbour.	Faridpur 24-Parganas ...	Six months' rigorous imprisonment.	..	18th June 1910	Sentence set aside on appeal on 7th November 1910.
59	19 (f) of Act XI of 1878	Surendra Nath Mukharji	Hira Lal Mukharji ..	Sarsuna . .	Behala .	Ditto	Fined Rs. 100 . ..	...	30th June 1910	
60	Ditto .	Hari Das Chatarji .	Gurn Das Chatarji	No. 3 Jugal Kishor Das's Lane.	Sukea's Street. (Born in Calcutta.)	Calcutta ..	Ditto		31st August 1910.	
61	Ditto ...	Debi Prasanna Ray Chaudhuri.	Ram Chandra Ray Chaudhuri.	Ohan .	Pirong .	Faridpur	Fined Rs. 750 ..		8th September 1910	
62	124 A. Indian Penal Code	1. Pirayis Chandra Dev *alias* Manek Lal De.	Nobin Chandra De	52, Machua Bazar Street	Moochipara	Calcutta	Two years' rigorous imprisonment		24th ..	"Yugantar" leaflet case.
		2. Ganeendra Nath Basu	Jogendra Kumar Basu ...	Ramchandrapur .	Jhalakati	Barisal ...	Six months' rigorous imprisonment.	.	29th August 1910.	
		3. Ashutosh Sarkar					Detained till the rising of the Court		5th September 1910	
		4. Mohendra Nath Chatarji	Kiran Chandra Chatarji	Duri .	Lohajang	Dacca	Four months' rigorous imprisonment		13th . ..	
63	54 A. Calcutta Police Act	1. Keshab Chandra Ray *alias* Keshab Chatarji	Rakhal Chandra Ray (father Kesab Ray.)	Gopal Bari	Rajnagar ..	Bakarganj	Fined Rs. 100		16th December 1910	Connected with Khulna-Jessore gang case.
				Lora	Magura	Jessore				
		2. Bonwari Mukharji .	Gopal Dayal Mukharji	Sitarazar	Sarapur	Nadia	Ditto .. .		Ditto	

Cases under the Incitement to Violence (Newspapers) Act.

Nil.

Cases under the new Press Act.

The *Dharuna* newspaper (the printer, Bidhu Bhusan Bysak) was ordered by Government to deposit Rs. 2,000, but failed, and the paper ceased to exist.

EASTERN BENGAL STATE RAILWAY.

Serial No.	Section of Law.	ACCUSED. Name.	Father's name.	RESIDENCE. Village	Thana.	District.	Convicted.	RESULT OF TRIAL. Discharged or acquitted	Date and section	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
64	395, Indian Penal Code.	1. Narendra Nath Bhattacharji. 2. Sailendra Nath Basu 3. Bhusan *alias* Gulob Mitra.	Dina Nath Bhattacharji Umesh Kumar Basu Kalipada Mitra	Kodalia Chingripota Ditto Fuarpur	Sonarpur Ditto Magrahat	24-Parganas		Discharged	11th February 1908, 209 Criminal Procedure Code.	At about 3 A.M. on the 8th December 1907, a dacoity was committed at Chingripota railway station, district 24-Parganas, when Rs. 684-13 was carried away. Accused No. 1 was sent up by the Divisional Inspector and warrants issued against the two other accused but the accused were discharged under section 209, Criminal Procedure Code, by the Magistrate of Sealdah for want of evidence. From the nature of the dacoity there was no doubt but that it was the work of a political gang. It is one of the overt acts, now in evidence in the Howrah gang case (political). The accused, Narendra Nath Bhattacharji and Bhusan Mitra have been committed to the High Court for trial.

HOOGHLY.

65	147, Indian Penal Code	1. Surendra Nath Banerji 2. Jatindra Nath Chatarji 3. Nitai Pal 4. Radha Nath Das 5. Gopta Poddar 6. Bara Chandra De	Natabara Banerji Rameswar Chatarji Gopi Ram Pal Mohabharat Das Bama Nath Poddar Gopal De	Syamnagar Ditto Ditto Bidangani Ditto Ditto Ditto	Bidangani Ditto Ditto Ditto Ditto Ditto Ditto	Hooghly Ditto Ditto Ditto Ditto Ditto Ditto		Discharged Ditto Ditto Not sent up	3rd August 1908; 253, Criminal Procedure Code.	*Swadeshi* boycotting case.
66	448, Indian Penal Code	Hrishikesh Mazumdar	Bama Charan Mazumdar	Sevapur	Tarakeswar	Hooghly		Acquitted, commuted	28th October 1908, 345 Criminal Procedure Code.	On *Rakhi Bandhan* day accused, aged twelve, threw a stone into the courtyard of the complainant, and broke an earthen pot.

	Code.							[illegible]		[illegible]	
		2 Suresh Chandra Mitra	Mohim Chandra Mitra ..	Halpara[illegible] . .	Manikganj ..	Dacca .	First years' rigorous imprisonment.		Ditto		
		3. Suresh Chandra Mazumdar.	Krista Govinda Mazumdar	Jos[illegible]dal . ..	Kishorganj ...	Mymensingh ...	Ditto .	.. ..	Ditto ...	Political dacoity case.	
		4. Panna Lal Chatarji ...	Debendra Nath Chatarji .	Peneri *alias* Panhati ..	Khurdal .	24-Parganas ..		Made an approver.			
		5. Panna Lal Chakrabarti.	Peary Lal Chakrabarti	Harinavi	Sonarpur ...	Ditto ..	Three and a half years' rigorous imprisonment.	...	29th March 1909, 395, Indian Penal Code.		
		6. Makhada Shamadya .	Shyama Charan Khasnobis.	Paikpara .	Manikganj	Dacca .	.....	Acquitted	29th March 1909.		
		7. Paresh *alias* Saitesh Bagchi *alias* Basanta Bhattacharji	Kailash Chandra Bhattacharji.	Dhaukorah ..	Manikganj ...	Do. .	. ...	Ditto	Ditto.		
		8. Keshab Chandra De *alias* Benode Behari Modak	Dina Modak	Barakar ...	Barakar	Burdwa .	. .	... .	.....	Absconding	
68	Ditto	1 Manmatha Chaudhuri	Madhu Sudan Chaudhuri	Gar Bhowanipur .	Sinzri .	Howrah	Seven years' rigorous imprisonment	. .	7th July 1909, 395, Indian Penal Code	This dacoity is in evidence as an overt act in the Howrah political gang case. Accused No. 4 has been made an approver and Nos. 1, 5 and 8 have been committed to the High Court for trial.	
		2. Nitai *alias* Nityanand Singh Ray.	Bankuntha Nath Singh Ray	Karupat	Do.	Do		Acquitted ..	1st May 1909.		
		3. Satya Charan Banarji	Behari Lal Banarji .	Kurnehi .	Do.	Do		Ditto .	Ditto		
		4. Jotindra Hazra	Adhar Hazra	D[illegible] .	Do.	Do		Ditto	Ditto		
		5. Hari Pada Adhikari .	Ram Tarak Adhikari ...	Do. ..	Do .	D[illegible] ...	. .	Ditto ...	Ditto		
		6 Dasarathi Chatarji	Kena Ram Chatarji	Do.	Do ...	Do. .	. .	Discharged and acquitted	31st March 1909, 253, Criminal Procedure Code		
69	107, Criminal Procedure Code	Nabin Mallik	Sasi Bhusan Mallik .	Prakash .	Krishnagar .	Hooghly .	. . .	Rule was discharged .	..	Case compromised in Court	
70	Ditto .	1 Lalit Goshal		Kanchanka .	Dhanyakhali	Ditto		Ditto .	19th November 1909 110 Criminal Procedure Code	Compromised in Court.	
		2. Nanal Chatarji		Ditto	Ditto	Ditto		Ditto .	Ditto	Ditto.	
		3 Pran Krishna Mukharji		Ditto	Ditto	Ditto	.	Ditto	Ditto	Ditto	
		4 Sailen Mukharji		Ditto	Ditto	Ditto .	. .	Ditto .	Ditto	Ditto	
		5. Bimal Sinhar	..	Ditto .	Ditto ..	Ditto		Ditto .	Ditto	Ditto	

HOWRAH.

71	3, clause (1), Act VII of 1908 Cattle Act	Nanu Chandra Sa[illegible]	Nabin Sen	[illegible]	Sinzri	Howrah	[illegible]	.	[illegible] 1909, District Magistrate.	..
72	216 A, Indian Penal Code	Makhada Charan Samadder	[illegible]	[illegible]	[illegible]	Dacca	.	Acquitted [illegible]	[illegible]	Accused [illegible] absconding in the Bhagabatipur case

HOWRAH—*concld.*

Serial No.	Section of Law	ACCUSED. Name.	Father's name.	Residence. Village.	Thana.	District.	Convicted.	Discharged or acquitted.	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
73	121A, 122, 123 and 109, Indian Penal Code	1 Nani Gopal Sen Gupta	Khetra Gupta	Chandhuripara	Sibpur	Howrah	...	Acquitted ..	19th April 1911	
		2 Bhutan Mukharji	Dina Mukharji	Ditto	Do.	Do.	.	...	.....	Case withdrawn.
		3. Bhuban Mukharji	Ditto	Ditto	Do	Do.	..	...	.....	Ditto.
		4. Narendra Nath Chatarji.	Upendra Chatarji	Sribampara	Do.	Do	...	Acquitted ...	19th April 1911	Accused declared insane.
		5 Bistu Pada Chatarji	Satya Chatarji	..	Do	Do	.....	Ditto	Ditto.	
		6. Jagesh Mitra	Unknown	Chandhuripara	Do	Do.	.....	Ditto	Ditto.	
		7 Atul Mukharji	Gurupada Mukharji	Khurut	Do	Do.	One year's rigorous imprisonment		Ditto	
		8. Ganesh Das	Unknown	Moyna	Moyna	Midnapore	Ditto		Ditto	
		9. Narendra Nath Bose	Ditto	No. 15-1, Mirzapur Street, Calcutta			.....	Acquitted ..	Ditto	
		10 Harendra Banerji	Ditto	No. 56, College Street, Calcutta			..	Ditto	Ditto.	
		11. Haridas Chakrabartti	Mohini Chakrabartti	No. 31, Sitaram Ghose's Street, Calcutta			.	Ditto	20th July 1910	
		12. Sailendra Kumar Das	Akhay Kumar Das	No. 4-3, Syama Charan Deb's Street, Calcutta			Two years' rigorous imprisonment.		19th April 1911	
		13. Rajani Bhattacharji	Unknown	Mazilpore	Jaynagar	24-Parganas	...	Acquitted	Ditto.	
		14 Indu Kiran Chakrabartti.	Ditto	Ditto	Ditto	Ditto	..	Ditto	Ditto.	
		15. Tinkari Das	Ditto	Ditto	Ditto	Ditto	..	Ditto	Ditto.	
		16. Chuni Lal Nandi	Ditto	Ditto	Ditto	Ditto	...	Ditto	Ditto.	
		17. Bidhu Bhusan Biswas	Ditto	Behasia Mathurapur	Daulatpur	Nadia	...	Ditto	Ditto	
		18. Manmatha Nath Biswas.	Ditto	Ditto	Ditto	Do.	...	Ditto	Ditto	
		19. Sasil Kumar Biswas	Ditto	Ditto	Ditto	Do	Two years' rigorous imprisonment	.....	Ditto	
		20. Narendra Nath Biswas.	Ditto	Ditto	Ditto	Do.	...	Acquitted ...	Ditto	
		21. Bijay Chakrabartti	Bistu Chandra Chakrabartti.	Digapatiya	...	Rajshahi	...	Ditto	Ditto.	
		22. Satish Sarkar	Unknown	Nator	....	Dinajpur	..	....	.	Case withdrawn *vide* para. 2740 of Abstract for 1911.
		23. Srish Sarkar	Ditto	Do.	...	Ditto	..	Acquitted	14th April 1911.	
		24. Narendra Nath Bhattacharji.	Ditto	Kedah	Sonarpur	24-Parganas	..	Ditto	Ditto	
		25. Bhusan Mitra	Ditto	Do.	Ditto	Ditto	.	Ditto	Ditto.	
		26. Bimala Chandra Deb	Shib Chandra Deb	No. 78, Mansatala Lane, Calcutta			....	.....	3rd January 191	Case withdrawn.
		27. Sarat Mitra	Unknown	No. 88-1, Diamond Harbour Road, Kidderpore			...	Acquitted	19th April 1911.	
		28 Suresh Mitra	Ditto	Ditto ditto	ditto		.	Ditto	Ditto.	
		29. Satish Mitra	Ditto	Ditto ditto	ditto		One year's rigorous imprisonment.	.....	Ditto	
		30. Upendra De	Ditto	Santragachi	Jagachha	Howrah	...	Acquitted	16th December 1910	
		31. Kalipada Chakrabartti.	Ditto	Ditto	Ditto	Do	One year's rigorous imprisonment.	Ditto	19th April 1911.	
		32 Sailendra Chatarji	Ditto	Singur		Hooghly	.	Ditto	Ditto.	
		33 Dasarathi Chatarji	Kenaram Chatarji	Kureli	Singur	Howrah	..	Ditto	Ditto.	
		34. Shibu Hazra	Kedar Hazra	Do.	Do.	Do.		Ditto	Ditto	
		35 Jatin Hazra	Adhar Hazra	Do.	Do	Do	...	Ditto	Ditto	Approved.
		36 Atul Pal	Rammai Pal	Do.	Do	Do	.	Ditto	Ditto	
		37 Manmatha Nath Ray Chaudhuri.	Unknown	Krishnagar	Garh Bhabanipur.	Hooghly	....	Ditto	Ditto	
		38 Charu Chandra Ghosh	Isvar Chandra Ghosh	No. 6, Marcus Chandra Datta's Lane, Chetla			...	.....	...	Died during trial.
		39. Kiran Ray	Unknown	No 3, Bridge Road, Chetla			..	...	16th January 1911	Case withdrawn.
		40 Lalit Chatarji	Madhusudan Chatarji	Krishnagar	Krishnagar	Nadia	...	Acquitted ...	20th July 1910.	Accused declared insane.
		41. Nibaran Mazumdar	Unknown	Ditto	Ditto	Do	.....	Ditto	21st February 1911.	
		42 Suresh Chandra Mazumdar *alias* Paran	Ditto	Ditto	Ditto	Do			19th April 1911	
		43. Hem Chandra Sen	Haragobinda Sen	Nerra	Diamond Harbour	24 Parganas	.	Acquitted	20th July 1911.	

44	Jitendra Nath Mukharji.	Unknown	No. 79 [illegible]	[illegible]		Ditto	[illegible] 1911		
45.	Lalit Mohan Chakrabartti	Prosanna Chakrabarti	Netra	Dhanbad Hooghly	24 Parganas	..			Acquitted.
46.	Prakriti Biswas *alias* Mazumdar	Unknown	Tekala	Tarafpur	Nadia	..	Acquitted	20th July 1911	
47.	Bibhuti Bhusan Mukharji.	Ditto	Bolharia	Ditto	Do	..	Ditto ..	Ditto.	
48.	Kristanada Biswas ..	Ditto	Tekala	Ditto	Do		.....	Ditto	Case withdrawn.
49.	Haripada Adhikari ..	Ditto	Kurella	Singur	Howrah	..	Acquitted	3rd December 1910.	
50.	Pulin Sarkar *alias* Mitra.	Ditto	Dowgachia	Jhagrapur	Do		Ditto ..	19th April 1911	
51.	Ramapada Mukharji	Ditto	Rampur Boalia		Rajshahi		Ditto	Ditto.	
52	Bhupendra Ray Chaudhuri.	Ditto	Ditto		Ditto		Ditto	Ditto.	
53	Taranath Ray Chaudhuri	Ditto	Lam Par		Noakhali		Ditto	Ditto.	
54	Kartick Datta	Srikrishna Datta		Santipur	Nadia		Ditto	Ditto.	
55	Pabitra Datta	Unknown	No. 44, College Square Salbasantapur		Calcutta Pabna		Ditto	Ditto.	
56	Ananda Ray	Tarar Chandra Ray	Belgachia		Dinajpur		Ditto	Ditto	

JESSORE.

74	144. Criminal Procedure Code.	Makunda Das		..		Barisal	Under clause 2, section 144 Criminal Procedure Code, Makunda Das is ordered to abstain from giving any performance of his *jatra* within the subdivision. K. D. RAMANIK *Subdivisional Officer, Narail.* *The 3rd January 1905.*		
75	436. Indian Penal Code.	1. Bidhu Bhusan Banerji 2. Ramesh Chandra Mazumdar 3. Haridas Nath Biswas 4. Hemanta Kumar Mazumdar	Chandrakanta Banerji Nalini Nath Mazumdar Chandra Kumar Das Ramesh Chandra Mazumdar	Deep Do Do Do		Jessore Do Do Do	Ramesh Chandra Mazumdar sentenced to rigorous imprisonment and a fine of Rs. 200, in default to three months' rigorous imprisonment. Bidhu Bhusan Banerji five years' rigorous imprisonment and a fine of Rs. 200, in default three months' rigorous imprisonment, under section 436 Indian Penal Code. Haridas and Hemanta acquitted under section 256 Criminal Procedure Code. Case under section 436 Indian Penal Code.	After the performance of the *jatra* of Makunda Das of Barisal in some places, the Lohagara Bazar was set fire to. A punitive police force of two Sub-Inspectors, four Head Constables, and 30 constables was posted at the cost of neighbouring villages suspected of having sympathy in the matter.	
76	144. Criminal Procedure Code	Lalit Mohan Banerji Mustafi.			...	Barisal	Under section 144 Criminal Procedure Code, prohibits Lalit Mohan Banerji Mustafi from giving any performance of his *jatra* within the subdivision. K. D. RAMANIK *Subdivisional Magistrate, Narail.* *The 25th February 1905.*		

JESSORE—*concld.*

Serial No.	Section of Law.	ACCUSED. Name.	Father's name.	RESIDENCE. Village.	Thana.	District	RESULT OF TRIAL. Convicted	Discharged or acquitted	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
77	144, Criminal Procedure Code.	1. Makunda Das ... ... 2. Ramesh Chandra Banarji	....	... .	....	Barisal	Issue of injunction to prohibit giving performances of *swadeshi jatra*. Order made absolute. S. K. AGASTI, *District Magistrate.* *The 17th March 1908.*			
78	451, Indian Penal Code.	Basanta Kumar Ghosh ...	Dwarika Chandra Ghosh ..	Lutia	Lohagara ..	Jessore ..	Sentenced to one month's rigorous imprisonment under section 451, Indian Penal Code			The complainant was selling Liverpool salt in an open house—his shop—in the bazar on 8th July 1908. The accused entered the shop and threatened and abused him for selling foreign salt.
79	19 (*f*), Arms Act ...	Sasi Bhusan Das	Mohim Das	Suvarara	Abhoynagar ..	Do.	1	.....	7th February 1910. Fined Rs. 50, in default two months' rigorous imprisonment.	
80	107, Criminal Procedure Code.	1. Jharu *alias* Anadi Chakrabartti. 2. Khetter Nath Chakrabartti.	Sreenath Chakrabartti ... Unknown	Dhulgram .. ... Ditto	Ditto ... Ditto ..	Do. .. Do	2	On 15th June 1910 both ordered to furnish security and bond for Rs. 50 each to keep the peace for one year.		
81	Ditto ..	Nagendra Nath Bhattacharji.	Banamali Bhattacharji	Bhugilhat	Ditto ..	Do .. .	1	On 9th July 1910, accused ordered to furnish two sureties of Rs. 200 each and a bond of Rs. 400 to keep the peace for one year.		
82	395, Indian Penal Code	1. Upendra Nath Chatarji 2. Hom Chandra Gangull 3. Biseswar Chatarji ... 4. Baidyanath Bhattacharji. 5. Sarbeshwar Bhattacharji. 6. Suresh Chandra Gangull. 7. Bhagabati Chandra Bhattacharji.	....	Chandanimahal .. Ditto . Ditto . Ditto . Ditto ... Ghullia ... ... Chandanimahal .	Khulna ... Do. ... Do. .. Do. .. Do ... Muhammadpur Khulna	Khulna . ... Do. . ... Do ... Do. ... .. Do. ... .. Jessore ... ... Khulna	6	One as approver ..	8th October 1910—395, Indian Penal Code	Five years' rigorous imprisonment. Six years' rigorous imprisonment. Three years' rigorous imprisonment. Ditto Approver Three years' rigorous imprisonment. Ditto.

Sadar Subdivision.

83	380 and 147, Indian Penal Code.	1. Binay Kumar Ray, M.A. 2. Jamini Kumar Sen 3. Kanai Lal Sen 4. Lalit Mohan Das 5. Kala Chand Ray 6. Panchkari Ray	Umesh Chandra Ray Bipin Behari Sen Tarak Chandra Sen Madan Mohan Das Gopal Chandra Ray Dina Nath Ray	Senhati Do. Do. Do Do Do	Khulna Do Do Do Do Do	Khulna	All the six accused discharged on giving agreement not to repeat the offence.	9th January 1907. Section 143, Indian Penal Code, by Babu A. C. Kar, Officiating District Magistrate.	The accused in a body forcibly entered a shop and carried away and burnt some foreign cloth.
84	Ditto ...	1. Binay Kumar Ray, M.A. 2. Jamini Kumar Sen 3. Kanai Lal Sen 4. Kala Chand Ray 5. Panchkari Ray 6. Lalit Mohan Das 7. Jogi Munshi	Umesh Chandra Ray Bipin Behari Sen Tarak Chandra Sen Gopal Chandra Ray Dina Nath Ray Madan Mohan Das Ashutosh Munshi	Do. Do Do Do Do Do. Do	Do Do Do Do Do Do Do	Do. Do Do Do Do Do.	All the seven accused discharged on giving agreement not to repeat the offence.	Ditto	Forcibly entered a shop from which they took out some baskets of Liverpool salt and scattered their contents on the ground.
85	Ditto ...	1. Binay Kumar Ray, M.A. 2. Jamini Kumar Sen 3. Kanai Lal Sen 4. Lalit Mohan Das 5. Kala Chand Ray	Umesh Chandra Ray Bipin Behari Sen Tarak Chandra Sen Madan Mohan Das Gopal Chandra Ray	Do. Do. Do Do Do	Do Do. Do. Do Do	Do Do. Do. Do Do	All the five accused discharged on giving agreement not to repeat the offence.	Ditto	Ditto
86	108, Criminal Procedure Code	Bom Bhusan Ray, B.L. ...	Sashi Bhusan R	[illegible]	Dekhata	Do	Convicted. Bound down for one year.	15th July 1907. Section 108, Criminal Procedure Code.	Acquitted on appeal on 16th August 1907 by the High Court. Delivered a seditious speech.
87	124, Indian Penal Code	Hira Lal Sen	Mon Lal Sen of Dhaka	Sarbaro	Khulna	Do	Convicted. Fifteen months' rigorous imprisonment.	8th December 1908. Section 124, Indian Penal Code.	Published a seditious book called "Hindu Kar."
88	32 of Act V of 1861 ..	Akhaya Champo	Ram Saran Chamar	Khalisbara	Do	Do	Convicted. Fined Rs. 5 ...	12th June 1906, Section 32 of Act V of 1861.	Caused obstruction on the public road by collecting people and proclaiming a *swadeshi* meeting by beat of drum.
89	107, Criminal Procedure Code.	1. Srimanta Chatarji 2. Debendra Chatarji 3. Rajendra Sarkar 4. Upendra Chandra Hui 5. Jagadishwar Chatarji 6. Ram Chandra Kushari 7. Sitanath Mukharji 8. Umesh Chandra Kushari 9. Badal Chandra Chatarji. 10. Sita Nath Chakrabarti. 11. Umesh Chandra Gupta 12. Jogeshwar Chatarji	Rukishor Chatarji Prionath Chatarji Bat haran Sarkar Paresnath Hui Gore Mohan Mukharji Parbati Charan Kusari Swama Ch. Chatarji Ananda Chakrabarti Badan Ch. Gupta Gauri Nath Chatarji	Ghatbhoga Dutta Tatola Salpalaikha Ghatbhoga Pathabhoga Dutta Dutta Ghatbhoga Dutta Dutta Dutta	Do Do Do. Do Do Do Do Do Do Do Do. Do.	Do. Do Do Do Do. Do Do Do Do Do Do Do.	Discharged under section 118, Criminal Procedure Code.	21st November 1907	Threatening shopkeeper not to sell *bilati* goods.

KHULNA—*contd.*

Serial No.	Section of Law.	ACCUSED. Name	Father's name.	RESIDENCE. Village	Thana.	District	RESULT OF TRIAL. Convicted.	Discharged or acquitted.	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
Sadar Subdivisional—*concld.*										
90	107, Criminal Procedure Code.	1. Jotindra Lal Ghosh ... 2. Amrita Lal Ghosh ... 3. Surendra Lal Basu ... 4. Prafulla Chandra Ghosh 5. Mohendra Ch. Ghosh ..	Basanta Kumar Ghosh .. Chandibar Ghosh .. Purna Chandra Basu Dikpal Ghosh ... Hemanta Kumar Ghosh ...	Nawapara Ditto Ditto Ditto Ditto	Fakirhat Ditto Ditto Ditto Ditto	Khulna Do Do Do Do	Nos. 1 and 2 bound down for one year with recognizance of Rs. 100, and one surety of Rs. 100 each. Nos. 3, 4, and 5 for one year with recognizance of Rs. 50 with one surety of Rs. 50 each.	.....	2nd July 1907	Had recourse to picketing to prevent the sale of foreign goods.
Satkhira Subdivision.										
91	352 and 342, Indian Penal Code.	1. Satish Mitra ... ... 2. Provat Mitra ...	Tinkari *alias* Braja Mohan Mitra.	Khaliskhali Ditto	Tala Do	Khulna Do.	Rs. 20 fine in default two weeks' rigorous imprisonment.	..... Acquitted	11th September 1907; 352, Indian Penal Code Ditto.	
92	323, 342 and 426, Indian Penal Code.	1. Provat Chandra Basu 2. Panchu Basu	Gopal Chandra Basu ... Behari Lal Basu	Ditto Ditto	Do. Do	Do. Do.	....	Ditto ... ... Ditto	26th September 1908, 323, Indian Penal Code. Ditto.	
93	52, Indian Penal Code	Keya Dhali *alias* Basanta Mandal.	Pitambar Mandal... ...	Ditto	Do.	Do.	.....	Dismissed under section 203, Criminal Procedure Code	26th September 1908, False, 352, Indian Pena Code.	
94	19 (*f*), Arms Act ...	1. Ahmad Sobban ... 2. Abdul Rajak .. .	Fuzlur Rahaman ... ... Aminaddi Sheikh	Sultanpur Ditto	Satkhira Do.	Do. Do.	Convicted and sentenced to 3 months rigorous imprisonment	...	22nd December 1908; 19 (*f*), Arms Act	Possession of a bomb without license
95	107, Criminal Procedure Code.	1. Bhaba Nath Basu ... 2. Aghor Nath Mukharji 3. Upendra Nath Ghosh	Kanak Chandra Basu Kashi Nath Mukharji ... Chandi Charan Ghosh	Kamira ... Ditto Ditto	Tala Magura .. Ditto Ditto	Do Do Do.	Nos. 1 and 3 directed to furnish a recognizance bond of Rs. 2,000 each with two sureties of Rs. 1,000 each and No. 2 a recognizance bond of Rs. [illegible] [illegible] in default [illegible] simple imprisonment		16th January 1909 ...	Carrying the [illegible] of [illegible]

Bagerhat Subdivision.

96	147	1. Ambika Chandra Das	Gopal Chandra Das ...	Bahar Bonla	Morelganj .	Khulna	Fined Rs. 15 or 2 weeks' rigorous imprisonment.	. ...	27th February 1906; 147.	Pelting of stones by school-boys at a European Steamer Inspector from the river bank at Bara char, police-station Morelganj.
		2. Pramatha Nath Das ...	Ditto ditto ...	Ditto	Ditto .	Do .	Fined Rs. 5 or 2 weeks' rigorous imprisonment			
		3. Prio Nath Das ...	Ditto ditto ...	Ditto	Ditto	Do				
		4. Paresn Nath *alias* Bhuto Chakrabartti		Ditto ..	Ditto .	Do. ..				
		5. Lalit Mohan *alias* Sukhal Das.	Father's name not known	Record has been destroyed	.. .		.	Acquitted under section 258, with a warning.	27th February 1906 ...	
		6. Surendra Nath Ray ...								
		7. Benode Behari Das ...								
97	452	1. Kamini Kumar De ...	Nunda Kumar De	Bagura	Kotwali .	Parisal ..	Three months' rigorous imprisonment.	..	452	Accused were members of Makunda Das *jatra* party. This case was not originally a political one. Some boys of Makunda Das's *jatra* party were abused by complainant for kissing his uncle's girl. They assaulted him in-mercilessly. The local Bar took up the defence of the accused as they were members of a *swadeshi jatra* party.
		2. Radhika Mohan Das	Madhub Sundar Das	Nandakati ..	Nalchiti .	Do				
98	143 and 379 . ..	Satish Chandra Chakrabartti.	Jadu Nath Chakrabartti	Basabati ...	Bagerhat ..	Khulna	.. .	Discharged ...	13th November 1907 ..	Destroyed Liverpool salt.
99	107, Criminal Procedure Code.	1. Ram Ch. Chakrabartti.	Ram Kumar Chakrabartti	Fachua .	Kachua .	Do ...	Bound down for one year		21st September 1907, 107, Criminal Procedure Code.	Obstructed sale of *bilati* goods, giving rise to an apprehension of breach of the peace.
		2. Bem Madhab Basu .	Mohima Charan Basu	Do.	Do.	Do .				
		3. Surja Kumar Sil .	Rakrishna Sil .	Do . .	Do	Do ...				
		4. Bansi Nath Kundu	Pacha Ram Kundu	Do. . .	Do. .	Do. . .				
		5. Prakash Chandra Chakrabartti	Ram Gopal Chakrabartti	Do. .	Do .	Do . .				
100	395, Indian Penal Code.	1. Bidhu Bhusan De	Krishna Chandra De .	Parkpara .. .	Abhoynagore ...	Jessore .	. .	1	14th March 1910 ...	The approver Abani Bhusan Chakrabartti, having retracted his confession the case had to be withdrawn. All the accused however were prosecuted under section 124A Indian Penal Code, and the pardon granted to the approver was cancelled. He alone was prosecuted under section 395 Indian Penal Code, with the result stated.
		2. Nagendra Chandra Chandra.	Gopal Mohan Chandra .	Singa Sol	Narail .	Do		1	Ditto	
		3. Sachindra Lal Mitra	Gopal Lal Mitra .	Kumra . . .	Tala Magura		.	1	Ditto.	
		4. Asutosh Kumar Basu	Kali Pada Basu .	Basudha	Narail	Jessore		1	Ditto	
		5. Kali Das Ghose	Mahima Charan Ghosh	Solepur ...	Nara.	Do		1	Ditto.	
		6. Satish Chandra Chatarji	Nepal Chandra Chatarji	Bhimbhat .	Abhoynagore	Do		1	Ditto	
		7. Prio Nath Pal Kumar Kundu.	Digambar Pal	Dhigram	Do	Do		1	Ditto.	
		8. Manmatha Nath Mitra	Gurunda Charan Mitra	Kumra	Tala Magura	Khulna	..	1	Ditto	
		9. Nagendra Nath Sarkar.	Gadadhar Sarkar .	Singa .	Nara	Jessore		1	Ditto	
		10. Abani Bhusan Chakrabartti.	Sri Nath Chakrabartti	Dhigram ..	Abhoynagar .	Do	1	. ...	27th June 1910; 395/59 Indian Penal Code	Seven years' rigorous imprisonment.

KHULNA—*contd.*

Serial No.	Section of Law	ACCUSED. Name.	Father's name	RESIDENCE Village	Thana.	District	RESULT OF TRIAL. Convicted	Discharged or acquitted.	Date and section.	REMARKS.
1	3	2	4	5	6	7	8	9	10	11
101	3 (c) of Act VII of 1908.	1. Sarat Chandra Mitra	Gobinda Chandra Mitra	Sonara	Bagerhat	Khulna				The order of confiscation of the press was made absolute on the 25th January 1910, but the order was set aside by the Hon'ble High Court (on appeal) on the 17th August 1910.
		2. Bidhu Bhusan Basu	Jadu Nath Basu	Bistupur	Ditto	Do.		...		
102	124 A, Indian Penal Code.	1. Bidhu Bhusan Basu ...	Jadu Nath Basu ...	Ditto	Ditto	Do	1		16th February 1910; 124 A., Indian Penal Code.	
		2. Abani Mohan Deb	Kailash Chandra Deb	Karapara	Ditto	Do			Ditto	
		3. Nagendra Chandra Chandra	Gopal Mohan Chandra	Soepur	Narail	Jessore		1	Ditto ...	Acquitted on appeal by the High Court, but convicted in the section 121 A case (vide No. 109)
103	153 A, Indian Penal Code.	1. Bidhu Bhusan Basu	Jadu Nath Basu	Bistupur	Bagerhat	Khulna	1	...	16th February 1910; 153 A., Indian Penal Code.	
		2. Abani Mohan Deb	Kailash Chandra Deb	Karapara	Ditto	Do.	1		Ditto.	
104	3 (1) of Act VII of 1908.	1. Jotindra Nath Basu	Sashi Bhushan Basu	Bebhagdi	Nowapara	Jessore				The conditional order of forfeiture of the press was made absolute on 28th January 1910. Later on the press was released under Government order on 24th April 1910.
		2. Ram Gopal Bhattacharji.	Rishikesh Bhattacharji	Gangarampur	Magura	Khulna		...		
105	124 A, Indian Penal Code.	1. Gopal Chandra Mukharji.	Prem Chand Mukharji ...	Deapara	Narail	Jessore	1		16th February 1910; 124 A., Indian Penal Code	Sentenced to a fine only on apologising
		2. Pramatha Nath Ghosh	Sastibar Ghosh	Denta	Khulna	Khulna	1		Ditto ...	Ditto.
106	153 A, Indian Penal Code.	1. Gopal Chandra Mukharji.	Prem Chand Mukharji	Deapara	Narail	Jessore	1		16th February 1910; 153 A., Indian Penal Code.	Ditto.
		2. Pramatha Nath Ghosh	Sastibar Ghosh	Denta	Khulna	Khulna		...	Ditto ...	Ditto
107	153A and 124A, Indian Penal Code.	Panchanan Ghosh ...	Purna Chandra Ghosh ...	Bansdaha	Satkhira	Do	1		8th March 1910; 124 A and 153 A Indian Penal Code.	Imprisoned

8	147 and 447 Indian Penal Code										... Complainant was asked to subscribe to a *samiti* and on refusal was assaulted
		2. Bhupendra Ghosh ..	.....	Do	Ditto	Do.	Not sent up	..	... ..		
		3. Sri Gopal Ghosh ...	Chandi Charan Ghosh	Do.	Ditto	Do.		1	147 and 447, Indian Penal Code		
		4. Provas Lal Chatarji	...	Do.	Ditto	Do.					
		5. Kanai Lal Mukharji	.....	Do	Ditto	Do.					
		6. Rajendra Mukharji ...	.....	Do.	Ditto	Do	Not sent up	...	...		
		7. Ashu Sarkar ...	.....	Do	Ditto	Do.					
		8. Kunjo De ...	...	Do	Ditto	Do.					
		9. Manik De	.....	Do.	Ditto	Do.					
9	121 A. Indian Penal Code.	1. Abani Bhusan Chakrabartti.	Sri Nath Chakrabarti ...	Dhulgram	Abhoynagar	Jessore	...	...	30th August 1910; 121A. Indian Penal Code		All the accused were originally charged under section 400. Indian Penal Code. The case against them under this section was withdrawn, and Kanai Lal Chakrabartti and Nibaran Chandra De who were originally co-accused with them under section 400, Indian Penal Code, were not prosecuted at all.
		2. Bidhu Bhusan De ...	Krishna Chandra De	Punkpara	Ditto	Do.			Ditto.		
		3. Kali Das Ghosh ...	Mahima Chandra Ghosh	Sonepur	Narail	Do			Ditto.		
		4. Sachandra Nath Mitra	Gopal Lal Mitra	Kumira	Tala Magura	Khulna			Ditto		
		5. Aswini Kumar Basu	Kali Pada Basu	Basundia	Kowa	Jessore			Ditto		
		6. Nagendra Chandra Chandra.	Gopal Mohan Chandra	Singa-Sonepur	Narail	Do.			Ditto.		
		7. Kinu *alias* Pitri Nath Pal.	Digambar Pal	Dhulgram	Abhoynagar	Do			Ditto		
		8. Sudhir Chandra De	Jogendra Nath De	Alka	Fartabi	Khulna			Ditto		
		9. Nagendra Nath Sarkar.	Gadadhar Sarkar	Sonepur	Narail	Jessore			Ditto.		
		10. Brajendra Nath Dutta	Krishna Chandra Dutta	Krishnapur	Manikganj	Dacca			30th August 1910. 121A. Indian Penal Code		
		11. Satish Chandra Chatarji	Nepal Chandra Chatarji	Bhighbar	Abhoynagar	Jessore			Ditto		
		12. Mohini Mohan Mitra	Syama Charan Mitra	Sonepur	Narail	Do		1	30th August 1910.		
		13. Manmatha Nath Mitra	Gobinda Chandra Mitra	Kumira	Tala Magura	Khulna		1	Ditto.		
		14. Charu *alias* Jogendra Nath	Tara Pada Das	Tatpara	Kowa	Do.		1	2nd June 1910		
		15. Nikunta Ghara	Golak Chandra Ghatak	Dhulgram	Kasiara	Faridpur		1	Ditto		Discharged by Lower Court
		16. Sarbeswar Haldar *alias* Chakrabartti	Lalu Nath Chakrabarti	Naugra	Tala Magura	Khulna		1	Ditto		
		17. Harikrishna [illegible]	Kailash Chandra Ghosh	Fagusia	Abhoynagar	Jessore					Absconding
10	400. Indian Penal Code	1. Upendra Nath Chakrabarti *alias* Kanai Thakur *alias* Thakur Lal.	Jadu Nath Chakrabarti	Mohesapasha	Narail	Khulna					Approver.
		2. Rajendra Biswas	Jadu Nath Biswas	Do	Do	Do.					
		3. Sarat Karmakar	Gobinda Karmaka	Ditto	Do	Do					
		4. Lalit Mazumdar	Ramani Mohan Mazumda	Rabgunia	Purgachia	Do					
		5. Lalit Mohan De *alias* Nalin *alias* Nalin De.	Amrita Lal De	Mohesapasha	Khulna	Do					
		6. Nripendra Biswas Sarkar	Sasi Bhusan Sarkar	Ditto	Do	Do					
		7. Sujit Kumar Bhattacharji	Kaliswar Bhattacharji	Do	Do	Do.					
		8. Panchanan	Mohesh ...	Teligati	Do	Do.					All the accused were conditionally discharged to be of good behaviour.
		9. Sangrodhar Sarkar *alias* Faker	Mosalsh Fakir	Ditto	Do.	Do					
		10. Sarbeswar Bhattacharji *alias* Chandra Bhattacharji	Rajkumar Bhattacharji	Chandhani Mura	Do	Do			14 April 1911		Approver.
		11. Biswessar Gangulli	Nishab Lal Gangulli	Ditto	Do.	Do					
		12. Hem Chandra Gangulli	Prasanna Gangulli.	Ditto	Do	Do					
		13. Nagendra Nath Chatarji	Nepal Chandra Chatarji	Ditto	Do	Do		1			
		14. Bandya Nath Bhattacharji	Jadu Nath Bhattacharji	Do	Do	Do					

Serial No.	Section of Law.	ACCUSED. Name.	Father's name.	RESIDENCE. Village.	Thana.	District.	Convicted.	RESULT OF TRIAL. Discharged or acquitted.	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
	[*Vide* serial No. 110.]	15. Nakuleswar Bhattacharji *alias* Banarsi *alias* Mukharji *alias* Binal Mukharji.	Mritunjay Bhattacharji ...	Chandani Mahal ...	Khulna ...	Khulna ...	.....	.....	.....	
		16. Bhupal Basu *alias* Bonja *alias* Akhil Chandra Chandra.	Krishna Mohan Basu ...	Damodar	Fultala ...	Do. ...	.....	.....	.....	
		17. Keshab Lal Basu *alias* Goja.	Mahima Chandra Basu ...	Ditto	Do. ...	Do. ...	.....	.....	.....	
		18. Basanta Kumar Sarkar.	Sripati Chandra Sarkar ...	Katrabali	Garbetta ...	Midnapore ...	.....	.....	.....	
		19. Rameswar Nath *alias* Ramesh Ray.	Ram Nath Nath ...	Ranha	Gaffargaon ...	Mymensingh ...	.....	.....	.....	
		20. Bhola Nath Chakrabartti.	Radha Charan Chakrabartti.	Unasia	Kotalipara ...	Faridpur ...	.....	.....	.....	
		21. Mahendra Nath Bhattacharji.	Dwarika Nath Bhattacharji.	Maheswarpasha	Khulna ...	Khulna ...	.....	.....	.....	
		22. Bhagabati Charan Bhattacharji.	Uma Charan Bhattacharji.	Chandani Mahal ...	Do. ...	Do. ...	.....	.....	.....	
		23. Pramatha Nath Bhattacharji.	Dwarika Nath Bhattacharji	Gopalpore	Kaliganj ...	Jessore ...	.....	.....	.....	
		24 Bejay *alias* Debendra Chakrabartti *alias* Sasanka.	Gopal Chandra Chakrabartti.	Unasia	Kotalipara ...	Faridpur ...	.....	.....	.....	
		25. Hriday Nath Singh *alias* Hari Doyal Datta *alias* Mati Lal Nandi *alias* Sital Chandra Das.	Braja Nath Singh ...	Bagchar	Kotwali	Jessore ...	.....	.....	.....	
		26. Bholanath *alias* Bholahari Bairagi.	Unknown	Bowbazar, Calcutta. ...		.. ..	.....	.....	.....	
111	457 and 380, Indian Penal Code.	1. Dakshaba a Basu ...	Wife of Atul Krista Basu	Khalishkali	Tala Magura ...	Khulna ...	1	.....	10th November 1910; 380 and 114, Indian Penal Code.	On the 9th September 1910, information was received of a burglary in the house of Nistarini Bibi, a miserly old woman of Tala. Dakshabala Basu who lived in the same house, subsequently confessed and said that Upendra, Bhupendra, and Rati conspired with her to rob Nistarini Bibi. Rs. 500 was stolen, which was hidden in a tank. The woman pointed out the place and the property was recovered. The youths are reported to have told Dakshabala that the money would be spent on "*swadeshi kaj*." They were acquitted as the evidence against them was only the confession of Dakshabala, which was not consistent throughout.
		2. Bhupendra Nath Ghosh	Rash Behari Ghosh ...	Kapali Shantola .	Ditto ...	Do	... .	1	10th November 1910.	
		3. Rati Haldar ...	Peari Mohan Haldar ..	Nangla Shatinsha ...	Ditto ...	Do. ...	.....	1	Ditto.	
		4. Upendra Mukharji ...	Umesh Chandra Mukharji	Khalishkali	Ditto ..	Do. ...	.....	1	Ditto.	

Penal Code.	2. Bhuban Jana ...	.....	Ditto	Ditto	Ditto	Further details in margin		[illegible] and took away foreign goods exposed for sale in Sirampore Hât on 25th December 1907. The eight person named in column 3 were sent up in this case (sections 143 and 379, Indian Penal Code). Of these, at the first trial, accused No. 3 was acquitted (section 258, Criminal Procedure Code). No. 7 was ordered under section 562, Criminal Procedure Code to enter into a bond of Rs. 100 with two sureties of Rs. 100 each for one year to keep the peace and be of good behaviour, and No. 8 was sentenced to one month's rigorous imprisonment under each of the sections 379, 426, and 143, Indian Penal Code, to run concurrently, and the remaining five were each sentenced to three months' rigorous imprisonment under sections 143, 379 and 426, Indian Penal Code (sentences to run concurrently) and fined Rs. 100 each under section 143, Indian Penal Code in default to undergo one month's rigorous imprisonment. S. W. Goode, Esq., Joint Magistrate of Midnapore, tried the case. Accused Nos. 1, 2, 3, 4, 5, and 6 appealed, and a retrial was ordered by the Sessions Judge (E. E. Forrester, Esq.). Accused No. 8 preferred a motion to the Hon'ble High Court with the result that his conviction under section 379 was set aside and it was ordered that the 21 days he had served be the sentence passed upon him under sections 143 and 426, Indian Penal Code, and he was accordingly discharged. On retrial the five accused were acquitted under section 245, Criminal Procedure Code by Babu N. K. Ghosh, Deputy Magistrate of Midnapore, but he ordered the case to be entered true (sections 143 and 426, Indian Penal Code).
	3. Maheswar Jana ...	.....	Ditto	Ditto	Ditto			
	4. Girish Bala	.....	Kapasda	Ditto ...	Ditto			
	5. Shiboo Shit	...	Kandalpur	Ditto ...	Ditto.			
	6. Baistab Dhas Khantya	.....	Ditto	Ditto ...	Ditto.			
	7. Nanda Pariya	.....	Jalabindu	Ditto ..	Ditto.			
	8. Rakhal Gorai	.....	Ditto	Ditto ...	Ditto.			

MIDNAPORE.

Serial No.	Section of Law.	ACCUSED. Name.	Father's name.	Residence: Village.	Residence: Thana.	Residence: District.	Result of trial: Convicted.	Result of trial: Discharged or acquitted.	Result of trial: Date and section	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
113	147 and 426 Indian Penal Code	1. Hari Jana		Begunbari	Hendia	Midnapore	5	2	.....	The accused persons went to the Thakurmoar Barwari and destroyed some English hardware in the shop of the complainant and assaulted him. The case was tried jointly with case No. 3 of March 1908 of Hendia police-station. Hari Jana and Ananda Sasmal were acquitted under section 258, Criminal Procedure Code, and each of the accused, Ramesh Mandal, Jamini Poria, Srishtidhar Jana, Khirode Bhuiya and Shashi Bera, were sentenced to 10 months' rigorous imprisonment under sections 147 and 426, Indian Penal Code, by A. K. Jameson, Esq., Subdivisional Officer, Contai. The sentence was reduced to three months' rigorous imprisonment by the Hon'ble High Court.
		2. Ananda Sasmal	.....	Jhukia	Do.	Ditto	...	...	...	
		3. Ramesh Mandal	.....	Thakurnagar	Do.	Ditto	.....	...	.....	
		4. Jamini Poria	.....	Begunbari	Do.	Ditto	.....	...	...	
		5. Srishtidhar Jana		Jhinukkhali	Do.	Ditto	.....	...	...	
		6. Khirode Bhuiya, B.L.	.....	Ekhupatwa	Do.	Ditto	.....	...	.....	
		7. Shashi Bera	.....	Jhukhia	Do.	Ditto	.....	...	...	
114	457, 436, 342 and 147, Indian Penal Code.	1. Gopal Maity	.....	Mohammadpur	Bhagwanpore	Ditto	...	...	.....	The accused persons ordered the complainant to remove his residence to some other place, as they intended to establish a *swadeshi* school near his house. On his refusal, they looted his house. All the accused persons, except Mitharam Mana, were committed to the Court of Sessions by Babu J. N. Singh, Deputy Magistrate of Contai, on the 22nd July 1908. All of them were acquitted by the Sessions.
		2. Lal Mohan Maity	.....	Ditto	Ditto	Ditto	...	...	.....	
		3. Trilochan Maity	.....	Ditto	Ditto	Ditto	...	...	.....	
		4. Jiloram Maity	.....	Ditto	Ditto	Ditto	.....	...	.....	
		5. Bhuban Maity	.....	Ditto	Ditto	Ditto	.....	.....	...	
		6. Mitharam Mana	.....	Ditto	Ditto	Ditto	...	.....	.....	
		7. Krista Maity	.....	Ditto	Ditto	Ditto	...	...	.....	
		8. Keshab Mana	.....	Ditto	Ditto	Ditto	...	.....	.....	

		2. Priya Das									
		3. Akhil Adhikari		Kakgechhia Kakgeri	Ditto	Ditto					Paramanik, of Laken Basan, and Akhoy Metia, of Mischmta Basan, Tamluk police-station, were selling sweetmeats in their shops at Kakgechhia Hât, when the accused persons noted in column 3 formed an unlawful assembly and destroyed the sweetmeats (worth Rs. 29-9) as they were prepared from foreign sugar. Accused Nilmoney Das, Prio Das and Akhil Adhikari were sent up, and Nilmoney was convicted under sections 143 and 379, Indian Penal Code, by Babu R. D. Chatarji, sub-divisional Officer, Tamluk, on the 25th November 1907, and was sentenced to two months' rigorous imprisonment. Prio and Akhil were acquitted.
		4. Sushil Adhikari		Ditto	Ditto	Ditto					
		5. Guna Adhikari		Ditto	Ditto	Ditto					
		6. Srikanta Gossain		Ditto	Ditto	Ditto					
		7. Suresh Adhikari (No. I).		Ditto	Ditto	Ditto					
		8. Suresh Adhikari (No. II).		Ditto	Ditto	Ditto					
		9. Putia Adhikari		Ditto	Ditto	Ditto					
		10. Nagen Das		Ditto	Ditto	Ditto					
		11. Abinash Adhikari		Ditto	Ditto	Ditto					
		12. Pramatha Bhattacharya.		Ditto	Ditto	Ditto					
116	147 and 426, Indian Penal Code.	1. Mahendra Maity		Pashkeri	Mohisadal	Ditto					Complainant Basat Khan, of Marikpur, had a stationery shop, in which both *swadeshi* and foreign articles were sold. While one Sheik Isha, of Simulia, police-station Tamluk, was buying some foreign *charas* and cigarettes, accused Rama Nath Maity, Mahendra Maity, Netai Maity, Gopal Das, Mahesh Guru and some 25 others armed with *lathis* came to the place crying "*Bande Mataram*," "*Swadeshir Joy*," *Belatir Khoy*" and told Isha not to buy foreign articles and the complainant not to sell them. They having declined, Isha was belaboured with *lathis* by Mahendra Maity, and the rest scattered all his foreign articles taking away the *deshi* ones. A case was instituted under sections 147 and 379, Indian Penal Code. Mahendra Maity and Netai Maity were sent up under section 147, Indian Penal Code, and the rest absconded. They were sentenced to a fine of Rs. 100 each, in default two months' rigorous imprisonment under section
		2. Nersi Maity		Ditto	Ditto	Ditto					
		3. Rama Nath Maity		Ditto	Ditto	Ditto					
		4. Gopal Das		Babalour	Ditto	Ditto					
		5. Mahesh Guru		Chas Nikshi	Ditto	Ditto					

Section of Law.	ACCUSED.					RESULT OF TRIAL.			REMARKS.
	Name.	Father's name.	RESIDENCE.			Convicted.	Discharged or acquitted.	Date and section.	
			Village.	Thana.	District				
2	3	4	5	6	7	8	9	10	11
19. Indian Arms Act	Sarat Chandra De ..	...	Habibpur ...	Midnapore ...	Midnapore ...	1	.....	.....	Extremist Sarat Chandra De used to live in the house of zamindar Haradhan Mullick of Habibpur. On the 3rd May 1908, after the Muzaffarpur outrage, his house was searched, and one unlicensed sword was found. It was proved that Sarat De used to go armed with the sword to Mirbazar akhara to play with it, and so he was prosecuted and sentenced to one month's rigorous imprisonment under section 19, Indian Arms Act, by W. H. Nelson, Esq., Joint Magistrate, Midnapore. His sentence was upheld on appeal by the Sessions Judge.
211, Indian Penal Code	1. Sarat Saut ... ... 2. Dinu Das ... ... 3. Srinath Paramanik ... 4. Gadadhar Maity ... 5. Nabin Sen ... ... 6. Gobardhan Sen ... 7. Madhu Dhara ...	....	Kastakhah ... ... Bar Uttar-Hingli . Bakshichak ... ... Ditto .. ... Kalikakundu . .. Ditto ... ... Ditto .. .	Sutahata .. Ditto .. Ditto .. Ditto ... Gewankhali .. Ditto Ditto .	Ditto . Ditto ... Ditto ... Ditto .. Ditto .. Ditto ... Ditto ..	.. ..	....	. .. .	Complainant Meher Ali lodged information that the accused forbade him to sell Liverpool salt at the Dewangunge Hât. As he did not hear them, they threw his salt on the ground and spoiled it. On enquiry it transpired that he had never sold salt before any other market-place, and he could not give any evidence to establish the truth of his case, and that the complainant was a notorious gambler and lost some money in the gambling held by Srinath Paramanik and others. In order to harass Srinath he falsely instituted the case. The Magistrate declared the case as intentionally false and the complainant

		4. Abinash Mitra ...	.....	Keramitola	Ditto ..	Ditto ..	.. ...	.....	.....				they were discharged under section 494, Criminal Proced re Code. Surendra Nath Mukharji and Jogiiban Ghosh were committed to the Sessions under section 4(a) of Act VI of 1908, and accused Santosh Chandra Das was committed to the Sessions under sections 4 (a), 4 (b), 5 and 6 of the new Explosives Act, VI of 1908. The three accused were convicted by the Sessions Judge of Midnapore, but on appeal before the Hon'ble High Court all were acquitted. The case in the lower court was tried by C. H. Reid, Esq., Joint Magistrate of Midnapore.
		5. Sarada Datta ...	.....	Mirbazar	Ditto ...	Ditto ...	. ...	...	.....				
		6. Gobinda Mukharji ...	.....	Ditto	Ditto ..	Ditto ...	.....	.....	.....				
		7. Surendra Nath Mukharji.	.....	Ditto	Ditto ...	Ditto .	..	.....	.....				
		8. Madhu Sadan Datta	.....	Ditto	Ditto ..	Ditto ...	.....	.....	.....				
		9. Govinda Mukharji ...	....	Midnapore town ...	Ditto ...	Ditto ..	.. ...	.....	.....				
		10. Surendra Mukharji ...	...	Ditto ..	Ditto ...	Ditto ...	...	.....	.....				
		11. Santosh Das	.....	Ditt ...	Ditto ..	Ditto ..	....	.....	.....				
		12. Ashutosh Das ..	.....	Ditto .	Ditto ..	Ditto ...	... .	....	.....				
		13. Jamini Mullick ...	.....	Ditto .	Ditto ...	Ditto ...	.....	.....	.....				
		14. Kailash Das Mahapatra, mukhtear.	.....	Ditto .	Ditto .	Ditto ...	.... .	.....	.....				
		15. Mati Lal Mukharji, pleader.	.....	Ditto ..	Ditto ...	Ditto ...	.... .	. ..	...				
		16. Khagendra Nath Banarji, pleader.	.. ...	Ditto ..	Ditto ..	Ditto .	.. .	.....	.....				
		17. Akhil Chandra Sarkar	...	Ditto	Ditto ..	Ditto ..	.....	. ....	.....				
		18. Jogiiban Ghosh ...	.. ...	Ditto	Ditto ...	Ditto ..	.....	....	.....				
		19. Gostha Behari Chandra.	.. ...	Ditto ..	Ditto .	Ditto	. ...	... ..	. ...				
		20. Jyoti Das	.....	Ditto ..	Ditto .	Ditto ...	....	.... .	.. .				
		21. Upendra Maity, pleader.	. ..	Ditto .	Ditto ..	Ditto ...	.... .	.	..				
		22. Paran Chapui... ...	.....	Ditto .	Ditto .	Ditto ...	.....	.. .	... .				
		23. Nalini Kanta Sen Gupta	.....	Ditto ..	Ditto	Ditto ...	. ..	.... .	.....				
		24. Sham Lal Shaha ...	.....	Ditto	Ditto ..	Ditto ..	. .	... .	.....				
		25. Kisen Shaha	.....	Ditto .	Ditto ..	Ditto .	. ...	....	....				
		26. Nekunja Maity ...	.....	Ditto .	Ditto ..	Ditto ...	. ...	...	.....				
		27. Manmatha Nath Kar	.....	Ditto ..	Ditto	Ditto	...	....	.....				
		28. Gopal Mukharji ..	....	Ditto ..	Ditto ..	Ditto ...	. ..		.....				
128	147, 379 and 342, Indian Penal Code.	1. Bali *alias* Balram De	Narsing De ..	Neida .. .	Mohanpur .	Ditto	Convicted	..					On 17th May 1910 complainant lodged information before the Magistrate that the accused persons in a body looted the complainant's shop of *b-lati* cloth at the Neida Hât and kept Pitu Muhammad, brother of the complainant, wrongfully confined. The first four accused were summoned and tried under sections 147, 379 and 342, Indian Penal Code, by Babu Gopal Baliav Das, Deputy Magistrate, on 29th August 1910.
		2. Narsing De	Sibu De	Do.	Ditto ..	Ditto ..	Ditto . ..	.....	....				
		3. Nanda Jana, chaukidar.	Sibu Jana	Do ...	Ditto .	Ditto	Ditto . .	. . .	.....				
		4. Haru Singh	Srimanta Singh	Ashura .	Ditto .	Ditto ...	Ditto .	.. .	. ...				The conviction was upheld on appeal on 26th October 1910, but the fines were reduced.
		5. Dhruba Singh ..	Srimanta Singh	Do. .	Ditto .	Ditto ..	. .	. .	.. ...				
		6. Kista Jana	Bal Jana	Do	Ditto	Ditto ...	....	....	.....				
		7. Jagabandhu Pradhan, chaukidar.	Hari Pradhan .	Ne na .	Ditto	Ditto .	Punished departmentally with dismissal		....				
		8. Kedar Nath Datta .	Padma Lochan Datta .	Do .	Ditto ...	Ditto ...	. .	. ...	.....				Were not placed before the Magistrate, as the evidence against them was considered insufficient.
		9. Muktarani Das ...	Gour Das	Do. .	Ditto	Ditto ..	.	. . .	.. ..				
		10. Gadadhar Pa ..	Madhu Pal	Do ...	Ditto	Ditto	.	. ....	.....				
		11. Gadadhar Das	Brindaban Das	Do.	Ditto ..	Ditto ...	. ..	..	... .				
		12. Pahal Das	Gangoo Das	Do.	Ditto .	Ditto	. .	. . .	....				

Section of Law.	ACCUSED. Name.	Father's name.	RESIDENCE. Village	Thana	District.	RESULT OF TRIAL Convicted	Discharged or acquitted	Date and section	REMARKS.
2	3	4	5	6	7	8	9	10	11
[*Vide* serial No. 123.]	13. Jogeswar Tripati	Hari Prasad Tripati	Nebda	Mohanpur	Midnapore			...	
	14. Kalsta Barik	Keshab Barik	Do	Ditto	Ditto			...	
	15 Bal Poria	Paban Poria	Do.	Ditto	Ditto			....	
	16. Balnoo Nandi	Braja Nandi	Do	Ditto	Ditto			....	
	17. Braja Bhuia	Madan Bhuia	Do	Ditto	Ditto			....	Were not placed before the Magistrate, as the evidence against them was considered insufficient.
	18. Akshay Poria, chaukidar.	Madhu Poria	Do.	Ditto	Ditto	Fined Rs 4-8 departmentally		..	
	19 Sambhoo Poria	Dasi Poria	Do	Ditto	Ditto			...	
	20. Krista Maity, dafadar	Narahori Maity	Nipura	Ditto	Ditto	Punished departmentally with dismissal		....	
	21. Bisu Jana	Pochu Jana	Do.	Ditto	Ditto			...	
	22. Pochu Jana	Dhruba Jana	Santapur	Ditto	Ditto				

NADIA.

147 and 326, Indian Penal Code.	1. Kartick Datta	Srikrista Datta	Santipur town	Santipur	Nadia	Six months rigorous imprisonment.	..	12th October 1908; 147, 149 and 329, Indian Penal Code	All accused bound down under section 106, Criminal Procedure Code, for one year.
	2. Damodar Paramanik	Gobinda Paramanik	Ditto	Do.	Do.	Ditto		Ditto.	
	3. Narendra Kumar Sarkar.	Phatik Sarkar	Ditto	Do.	Do.		Acquitted on appeal ...	.	
	4. Debendra Nath De	Sayaram De	Ditto	Do	Do.		Ditto ...	....	
	5 Nani Gopal Lahiri	Bhuban Mohan Lahiri	Ditto	Do	Do.	Six months rigorous imprisonment	..	12th October 1908; 147, 149 and 329 Indian Penal Code	
	6. Satya Ranjan Kundu	Hara Lal Kundu	Ditto	Do	Do.	Ditto	Acquitted on appeal	.....	
	7. Birendra Gopal Paramanik.	Bepin Bihari Paramanik	Ditto	Do	Do	Ditto	....	12th October 1908; 147, 149 and 329, Indian Penal Code	
307, 302 and 115 Indian Penal Code	1. Baladev Ray	Sitanath Ray	Alampur, Kushtia	Kushtia	Do		Acquitted ..	17th August 1908; 306, Criminal Procedure Code.	Missionary shooting case.
	2. Gonesh Das	Jiban Chatarji	Kushtia	Do.	Do	....	Ditto	Ditto.	
	3. Surja Nath Mazumdar	Hriday Nath Mazumdar	Do	Do	Do	....	Ditto ...	Ditto.	
	4. Krishna Behari Mitra	Kunja Bihari Mitra	Kalinagar ..	Pangsa	Faridpur		Discharged ..	2nd July 1908; 209, Criminal Procedure Code	
	5. Abdul Shaikh	Unknown	Pulaton Kushtia	Kushtia	Nadia	..	Discharged as an approver.	2nd July 1909; 337, Criminal Procedure Code	
307, Indian Penal Code	Atul Chandra Pal	Bama Nath Pal	Shyam Babu's Ghat Road, Ranaghat	Ranaghat	Do	Seven years rigorous im-		[illegible]	

		2. Probhat Chandra Mazumdar.	Sirish Chandra Mazumdar	Do	Ditto	Do.			Ditto	Ditto	Code, to keep the peace for one year.
		3 Gopal Chandra Chatarji.	Krishna Chandra Chatarji	Do.	Ditto	Do		Acquitted	12th July 1909; 458, Criminal Procedure Code.	This case was the outcome of the boycott movement (*vide* paragraph 1270, Abstract of 1909).
		4. Manik Chandra Chatarji.	Gopal Chandra Chatarji	Do.	Ditto	Do		Do.	Ditto	
		5. Pro Lal Chatterji	Nrishingha Chatarji	Do.	Ditto	Do.		Do.	Ditto.	
128	395, Indian Penal Code.	1. Sailendra Kumar Das	Akhil Kumar Das	No 4, Sivanath Chatarji Dt's Street, Calcutta			Convicted		26th April 1910, 395 Indian Penal Code	Five years' rigorous imprisonment, Special Tribunal.
		2. Upendra Krishna Deb	Ashutosh Deb	Jagacha	Jagacha	Howrah	Ditto		Ditto	Seven years rigorous imprisonment, Special Tribunal.
		3 Susil Chandra Biswas	Gobinda Chandra Biswas	Chitha	Mirpur	Nadia	Ditto		26th April 1910; 395 Indian Penal Code.	Ditto.
		4 Atul Chandra Mukharji	Gopi Pada Mukharji	Khurai No 5 Dharamtola Lane	Sibpur	Howrah	Ditto		Ditto	Ditto.
		5 Sailendra Nath Chatarji.	Prasanna Kumar Chatarji Deputy Inspector of Schools.	Tehuttara	Pokhariya Singur	Hooghly	Ditto		Ditto	Ditto
		6 Kiran *alias* Harendra Krishna Ray	Tarak Nath Ray	Assinnoor	Kangrai	Jessore	Ditto		Ditto	Ditto.
		7. Ganesh Chandra Das	Hari Narain Das	Dakhin Moyra	Tamlu	Midnapore	Ditto		Ditto	Ditto
		8. Bidhu Bhusan Biswas	Manik Lal Biswas	Chitra	Mirpur	Nadia		Acquitted	Ditto	Special Tribunal
		9 Manmatha Nath Biswas.	Rameswar Biswas	Bagwan	Daulatpur	Do		Ditto	Ditto	Ditto.
		10. Narendra Nath Biswas	Taran Chandra Biswas	Tissa	Ditto	Do		Ditto	Ditto	Ditto
		11 Jitendra Nath Chakrabarti.	Ratani Kanta Chakrabarti.	Chamnai	Ditto	Do				Sent up by police. Discharged by Magistrate before trial, and examined as a witness. These persons are also accused in the Howrah gang case.
129	507, Indian Penal Code	Anandi Lal Biswas	Hari Charan Biswas	Belesir	Mirpur	Do	Convicted		24th February 1910; 507, Indian Penal Code	One year's rigorous imprisonment. The accused wrote a letter to the complainant, informing him that if he persisted in selling foreign goods, his house would be looted and he would be murdered.

NADIA—*concld.*

Section of Law	Accused: Name	Accused: Father's name	Residence: Village	Residence: Thana	Residence: District	Result of trial: Convicted	Result of trial: Discharged or acquitted	Date and section	Remarks
2	3	4	5	6	7	8	9	10	11
19, Act XI of 1878 ..	Anath Bandhu Chatarji .	Madhusudan Chatarji	Kaya ..	Kumarkhali	Nadia	Convicted	..	5th May 1910; 19, Act XI of 1878.	Fined Rs. 40; in default to undergo one month's simple imprisonment. In connection with the Shamsul Alam murder case, the house of the accused was searched and a revolver and cartridges were found together with a time-expired license.
507, Indian Penal Code	Kali Pada Mandal .	Hara Chandra Mandal	Bagan	Daulatpur .	Do	Do. .. .	.	18th March 1910; 507, Indian Penal Code.	One year's rigorous imprisonment. The accused sent eight anonymous letters to Sub-Inspector Manmatha Nath Sen, of police-station Daulatpur, and shopkeepers of Mathurapur and Priyagpur, police-station Daulatpur, and of the Malda district. The Sub-Inspector for exerting himself in the detection of serial No. 128 case, was threatened to be murdered; the shopkeepers for selling foreign goods were informed that their shops would be looted and set on fire. The accused was tried in three cases, the same order being passed in each case, the sentences to run concurrently.

24-PARGANAS.

07, Criminal Pen[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

									Mistake of fact. section 352, Indian Penal Code.	subdivision, filed a petition in the Court of the Subdivisional Officer complaining that he had a quantity of foreign salt at his house for sale. On the 26th November 1906, Mohim Chandra Banarji and seven others went to his house, and at the former's orders the others removed a basket containing eleven seers of salt worth 11 annas. He opposed them, and two of the accused assaulted him. Three persons were put on trial. All of them denied the charge. The Subdivisional Officer who tried the case was of opinion that the evidence was obviously open to such grave suspicion that it would be unsafe to convict on it.
134	395, Indian Penal Code.	1 Nem Gopal Sen Gupta	Kshetra Gupta	Chandipurpara	Sibpur	Howrah				
		2. Bhutan Mukharji	Dinu Mukharji	Ditto	Do.	Do				
		3. Bhuban Mukharji	Ditto	Ditto	Do	Do				
		4. Bistupada Chatarji	Satya Chatarji	....	Do	Do				
		5 Jogesh Mitra	Unknown	Chandibustipara	Do	Do.				
		6. Narendra Nath Basu	Ditto	No. 15 1, Mirzapore Street, Calcutta						
		7 Haridas Chakrabarti	Mohini Chakrabarti	No. 31, Sitaram Ghosh's Street, Calcutta						All these persons were accused in the Howrah gang case
		8 Rajani Bhattacharji	Unknown	Mazinpore	Jaynagar	24 Parganas				
		9. Tinkari Das	Ditto	Ditto	Ditto	Ditto				
		10 Narendra Nath Bhattacharji	Ditto	Kodalia	Sonarpur	Ditto				
		11 Bhusan Mitra	Ditto	Ditto	Ditto	Ditto				
		12. Sarat Mitra	Ditto	No. 86-1, Diamond Harbour Road, Kidderpore						
		13 Suresh Mitra	Ditto	Ditto ditto	ditto					
		14. Hem Chandra Sen		Netra	Diamond Harbour	24-Parganas				
		15. Lalit Mohan Chakrabarti	Free Nath Chakrabarti	Do.	Ditto	Ditto				
135	109, Criminal Procedure Code.	Satya Kiron Bhattacharji	Dwarka Nath Bhattacharji.	Mazinpore	Jaynagar	Ditto	Accused Satya Kiron Bhattacharji was prosecuted under section 109, Criminal Procedure Code, and ordered under sections 118 and 123 Criminal Procedure Code, to execute a bond of Rs. 500, with one surety of Rs. 500 for one year, in default one year's rigorous imprisonment by the Subdivisional Magistrate, Barrackpore, Mr. J. C. French, C.S., on 23rd May 1910.			The accused were arrested while shadowing a Subdivisional Officer, and was unable to give a satisfactory account of himself.

24-PARGANAS—*concld.*

Section of Law.	ACCUSED.					RESULT OF TRIAL.			REMARKS.
	Name.	Father's name.	RESIDENCE.			Convicted	Discharged or acquitted	Date and section.	
			Village.	Thana.	District.				
2	3	4	5	6	7	8	9	10	11
110, Criminal Procedure Code.	Narendra Nath Bhattacharji.	Tara Prasanna Vidyaratna.	Bhatpara	Jagatdal ..	24-Parganas ..	Accused Narendra Nath Bhattacharji was prosecuted under section 110 (e), (f) and (g), Criminal Procedure Code, and ordered under section 123, Criminal Procedure Code, to execute a bond of Rs. 2,000, with two sureties of the same amount for three years, in default three years' rigorous imprisonment, subject to the approval of the Sessions Judge, by the Subdivisional Magistrate, Barrackpore, Mr. J. C. French, C.S., on 15th July 1910. This sentence was confirmed by the Sessions Judge, Alipore, in respect of the period, but the bond was reduced to Rs. 250, with four sureties of Rs. 250 each, in default three years' rigorous imprisonment.			Narendra Nath Bhattacharji first came to the notice of the police in connection with the police investigations made into several cases of bomb outrages on running trains on the Eastern Bengal State Railway during the year 1909. From the enquiries then made it appeared that he was a leader of the gang to whom the outrages were attributed. He was, besides, found to be a man of dangerous and desperate character and rather a terror to the men of the locality. He was for these reasons prosecuted under section 110, Criminal Procedure Code, and convicted. He is now in jail, as he could not furnish proper sureties.

Serial No.	Section of Law.	ACCUSED.					RESULT OF TRIAL.			REMARKS.
		Name.	Father's name	RESIDENCE.			Convicted.	Acquitted or discharged.	Date and section.	
				Village.	Thana.	District.				
1	2	3	4	5	6	7	8	9	10	11
137	143 and 341, Indian Penal Code.	Jamini Kanta Banik ...	Unknown	Jhalakati . ..	Jhalakati ..	Bakarganj .	.	Discharged under section 253, Criminal Procedure Code.	7th November 1905	
138	353, Indian Penal Code.	Bipin Bihari Sur .	Nabin Chandra Sur ..	Barisal	Barisal .	Do	Convicted and sentenced to 3 weeks rigorous imprisonment.	. .	7th December 1905; 504, Indian Penal Code.	
139	143, Indian Penal Code.	Bipin Chandra Guha ...	Barada Prasad Guha .	Kesharkati . .	Gournadi ..	Do ...	1 months rigorous imprisonment.	....	22nd December 1905; 143, Indian Penal Code.	
		Lalit Chandra Sarkar ...	Ananda Chandra Sarkar ...	Ditto	Do.	Do ...	Ditto	.....	Ditto.	
		Indra Chandra Guha ..	Gour Chandra Guha ...	Ditto . ..	Do ..	Do. ..	....	Acquitted under section 245 Criminal Procedure Code.		
		Peary Mohan Sarkar .	Hara Mohan Sarkar .	Ditto . .	Do ..	Do. ..		Ditto.		
		Durga Das Sarkar ...	Mani Chandra Sarkar .	Ditto	Do. ...	Do ...	.	Ditto		
		Hari Charan Sil	Nabin Sil .	Habibpur	Do. ..	Do.	.	Ditto		
		Ambika Charan Das ...	Lakshan Manikya Das .	Ditto ...	Do. ...	Do.	.	Ditto.		
		Patnal Sarkar . .	Brana Nath Sarkar ...	Kesharkati . ..	Do ..	Do.	.	Ditto		
		Abhay Charan Mistri .	Nasar Mandal	Ditto ...	Do ..	Do. ..	..	Ditto.		
140	147, Indian Penal Code	Bilash Chandra Kanjabilbari	Unknown . .	Madhabpasa . .	Barisal	Do	2 months' rigorous imprisonment	..	11th December 1905; 147, Indian Penal Code.	
		Ram Lal Ray Chaudhuri	Radha Madhab Ray Chaudhuri	Ditto .	Do ..	Do.		Discharged under section 253, Criminal Procedure Code		
		Hari Charan Kundu	Sonatan Kundu	Ditto	Do ..	Do .		Ditto	.	
141	506, Indian Penal Code.	Mahendra Chandra Ray ..	Baidya Nath Ray . .	Bhola . .	Bhola	Do	1 months rigorous imprisonment and fined Rs 1,000; in default, 1 month's rigorous imprisonment		8th January 1906, 506 Indian Penal Code.	
		Nabin Chandra Das .	Kama. Krishna Das	Do. . .	Do . .	Do.	10 days rigorous imprisonment and fined Rs. 400, in default 10 days rigorous imprisonment		Ditto	
142	143 and 426, Indian Penal Code.	Durga Kanta Chakrabartti.	Unknown	Kadirabad	Mendiganj .	Do	..	Acquitted under section 245 Criminal Procedure Code	1st June 1906	
		Amar Chand Nath. ...	Ditto ...	Ditto	Ditto	Do ..	...	Ditto ...	Ditto	

BAKARGANJ—*contd.*

Section of Law.	ACCUSED. Name.	Father's name	RESIDENCE. Village.	Thana.	District.	RESULT OF TRIAL. Convicted.	Acquitted or discharged.	Date and section.	REMARKS.
2	3	4	5	6	7	8	9	10	11
379, Indian Penal Code.	Peary Mohan Basu ..	Hari Charan Basu ...	Baisari	Sarupkati ...	Bakarganj ...	Fined Rs. 200, in default, 3 months' rigorous imprisonment.	.....	27th August 1906; 379, Indian Penal Code.	
107, Criminal Procedure Code.	Biseswar Guha ...	Ravi Lochan Guha ...	Uzirpur	Uzirpur ..	Do. ...	...	Discharged under section 119, Criminal Procedure Code.	12th December 1906.	
	Rajani Kamar ...	Ram Doyal Kamar ...	Do.	Do ...	Do. ...	.....	Ditto ...	Ditto.	
	Shib Chandra Kamar ...	Ditto ...	Do.	Do. ...	Do. ...	.....	Ditto ...	Ditto	
	Biswa Nath Kamar ...	Ditto ...	Do.	Do. ..	Do. ..	.....	Ditto ...	Ditto.	
	Narayan Kamar ...	Chandra Nath Kamar ...	Do.	Do. ...	Do. ...	.....	Ditto ...	Ditto	
	Umesh Chandra Kamar ...	Guru Charan Kamar ...	Do.	Do. ...	Do. ...	.....	Ditto ..	Ditto	
	Fatik Kamar ...	Durga Charan Kamar ..	Do.	Do. ..	Do. ...	.....	Ditto ..	Ditto.	
	Amori Kamar ...	Brindaban Kamar ..	Do.	Do. ..	Do. ...	.....	Ditto ..	Ditto.	
	Ashwini Kamar ...	Girish Chandra Kamar ...	Do.	Do ..	Do. ...	...	Ditto ...	Ditto.	
107, Criminal Procedure Code.	Satish Chandra Mukharji	Shasti Charan Mukharji ...	Do.	Do ..	Do. ...	.....	Ditto ...	Ditto.	
	Lalit Chandra Ray ..	Krishna Chandra Ray ...	Do.	Do. ...	Do. ...	.....	Ditto ..	Ditto.	
	Satish Chandra Ray ..	Ditto ...	Do	Do ...	Do. ...	.....	Ditto ...	Ditto.	
	Sarat Chandra De ...	Purna Chandra De ...	Do.	Do. ..	Do. ..	.....	Ditto ...	Ditto.	
	Bilash Chandra Ray ...	Chandra Nath Ray ..	Baropaika .. .	Jhalakati ...	Do ...	.....	Ditto ...	Ditto.	
353 and 504, Indian Penal Code.	Basanta Kumar Gupta ...	Gurru Das Gupta, mukhtear	Keora	Ditto ...	Do ...	.....	Acquitted under section 245, Criminal Procedure Code.	12th January 1907.	
451, Indian Penal Code.	Man Mohan Sen ...	Nava Kumar Sen ...	Sonarang	Munshiganj ...	Dacca ...	.....	Case made out under sections 323 and 448, Indian Penal Code. Acquitted under section 345, Criminal Procedure Code.	Ditto.	
143 and 379, Indian Penal Code.	Mano Ranjan Mukharji	Prasanna Kumar Mukharji	Morakati	Gournadi ...	Bakarganj ...	.....	Acquitted under section 258, Criminal Procedure Code	10th April 1907.	
152, Indian Penal Code.	Biswesswar Chandra Chakrabartti.	Unknown ..	Nagpara	Jhalakati ...	Do. ...	...			

	4	Ram Bhadra Samaddar ...	Kanai Lal Samaddar ...	Ditto ...	Ditto ...	Do. ...	Ditto ...	.....	21st September 1907.
		Lalit Kumar Hazra ...	Brindaban Hazra ...	Ditto ...	Ditto ...	Do. ...	Ditto ...	.....	Ditto.
		Kali Nath Samaddar ...	Unknown	Ditto ...	Ditto ...	Do. ...	Ditto ...	.....	Ditto.
		Moni Mohan Samaddar ...	Chandra Madhab Samaddar.	Ditto ...	Ditto ...	Do. ...	Ditto ...	.....	Ditto.
		Satya Bhusan Ray ...	Unknown	Ditto ...	Ditto ...	Do. ...	Ditto ...	.....	Ditto.
		Sasi Bhusan Ghosh ...	Chandra Kumar Ghosh ...	Ditto ...	Ditto ...	Do. ...	Ditto ...	.....	Ditto.
		Bipin Bihari Basu ...	Mahima Chandra Basu ...	Ditto ...	Ditto ...	Do. ...	Ditto ...	Discharged under section 119, Criminal Procedure Code	Ditto.
		Ashwini Kumar Samaddar	Kanai Lal Samaddar ...	Ditto ...	Ditto ...	Do. ...	.....	.....	Ditto.
151	....d.	Kunja Bihari Das Hazra	Bankanta Nath Das Hazra	Kumhat ...	Naichiti ...	Do ...	.....	Acquitted under section 345, Criminal Procedure Code.	18th June 1907.
152	143, Indian Penal Code.	Sarat Chandra Basu ...	Bishnu Charan Basu ...	Bagura ...	Barisal ...	Do ...	4 months' rigorous imprisonment	.....	15th July 1907; 143, Indian Penal Code.
		Triguna Charan Das ...	Chandra Kumar Das ...	Bashbania ...	Bhandaria ...	Do ...	3 months' rigorous imprisonment		Ditto.
		Rati Kanta Das ...	Ditto ...	Ditto ...	Ditto ...	Do ...	Ditto		Ditto
		Upendra Nath De ...	Swarna Kumar De ...	Ditto ...	Ditto	Do. ...	Fined Rs. 60; in default 1 month's rigorous imprisonment.	...	Ditto
		Swarna Kumar De ...	Krishna Chandra De ...	Ditto ...	Ditto ...	Do. ...	Ditto ...	....	Ditto.
		Lalit Mohan Das ...	Akhil Chandra Das ...	Ditto ...	Ditto ...	Do. ...	Ditto ...	...	Ditto.
		Basanta Kumar Nandi ...	Hriday Krishna Nandi ...	Ditto ...	Ditto ...	Do. ...	Ditto ...	...	Ditto
153	147 and 426, Indian Penal Code.	Nakul Kundu ...	Jagat Chandra Kundu ...	Kalashkati ...	Bakarganj ...	Do. ...	6 months rigorous imprisonment and fined Rs. 15.	...	9th September 1907; 147, Indian Penal Code
		Uma Kanta *alias* Bimala Chakrabartti.	Purna Chandra Chakrabartti.	Ditto ...	Ditto ...	Do. ...	Ditto ...	...	Ditto
		Nikheit Singh ...	Eatwar Singh ...	Durpur ...	Mohanpur	Muzaffarpur ...	3 months rigorous imprisonment.	...	Ditto.
		Chandi Charan Das ...	Kali Doyal Das ...	Bebaz ...	Bakarganj ...	Bakarganj	6 months rigorous imprisonment.	...	31st August 1908; 147 Indian Penal Code
		Kali *alias* Kali Charan *alias* Shyama Kanta Chakrabartti	Nabin Chandra Chakrabartti.	Kalashkati ...	Ditto	Do.	6 weeks' rigorous imprisonment.	...	15th December 1908; 147 Indian Penal Code
154	147 and 353, Indian Penal Code.	Hari Prasad Guha Ray ...	Ambika Charan Guha Ray	Banoripara ...	Banoripara ...	Bakarganj ...	2 months rigorous imprisonment under each of the sections 147 and 353, Indian Penal Code. The sentences to run concurrently.	...	30th September 1907; 147 and 353, Indian Penal Code.
		Rajendra Chandra Shaha	Atul Chandra Shaha ...	Raufai ...	Baufal ...	Do. ...	Ditto ...		Ditto.
		Harendra Nath Shaha ...	Ram Nath Shaha ...	Do. ...	Do. ...	Do. ...	Ditto ...	...	Ditto.
		Nakul Chandra Sil ...	Krishna Kumar Sil ...	Gojia ...	Gournad ...	Do. ...	Ditto	...	Ditto
		Rajendra Nath Shaha ...	Ram Nath Shaha ...	Do. ...	Ditto	Do. ...	Ditto	...	Ditto.
		Ananta Kumar Chakrabartti.	Ram Kamal Chakrabartti	Barshikhali ...	Bahogani ...	Do ...	6 weeks rigorous imprisonment.	...	14th May 1908; 147, Indian Penal Code.
		Shashi Bhusan Sarkar ...	Gopal Krishna Sarkar ...	Jugia ...	Bakarganj	Do. ...	2 months' rigorous imprisonment under sections 147 and 353, Indian Penal Code each of these to run concurrently		14th May 1908, 147 and 353, Indian Penal Code.

BAKARGANJ—*contd.*

Serial No.	Section of Law.	ACCUSED. Name.	Father's name.	Residence. Village.	Thana.	District.	Result of trial. Convicted.	Acquitted or discharged.	Date and section.	Remarks.
1	2	3	4	5	6	7	8	9	10	11
	[*Vide* serial No. 154.]	Debendra Nath Shaha ...	Gopok Chandra Shaha ...	Baufal ...	Baufal ...	Bakarganj ...	2 months' rigorous imprisonment under each of the sections 147 and 353, Indian Penal Code, the sentences to run concurrently.	.....	14th May 1908; 147 and 353, Indian Penal Code.	
		Kailash Chandra Shaha ...	Atul Chandra Shaha ...	Do. ...	Do. ...	Do. ...	Ditto ...	.....	Ditto.	
		Jadu Nath Kuri ...	Nilmoni Kuri ...	Rahamatpur ...	Babuganj ...	Do. ...	Ditto ...	.....	Ditto.	
		Rasik Chandra Sen ...	Purna Chandra Sen ...	Sadar Mamuderchar ...	Bhanga ...	Faridpur ...	Ditto ...	.....	Ditto.	
		Kamini Kumar Das ...	Padma Lochan Das ...	Raipur ...	Bhudergani ...	Do. ...	Ditto ...	.....	Ditto.	
		Radha Charan Bairagi ...	Ram Krishna Bairagi ...	Daspara ...	Baufal ...	Bakarganj ...	Ditto ...	.....	Ditto.	
		Basanta Kumar Das ...	Pitambar Das ...	Rajnagore ...	Do. ...	Ditto ...	Ditto ...	.....	Ditto.	
		Nagorbashi Shaha ...	Sanatan Shaha ...	Baufal ...	Do. ...	Ditto ...	5 weeks' rigorous imprisonment under each of the sections 147 and 353, Indian Penal Code, the sentences to run concurrently.	.....	28th September 1908; 147 and 353, Indian Penal Code.	
		Navadwip Chandra Shaha	Nadiar Chandra Shaha ...	Do. ...	Do. ...	Bakarganj ...	.....	Discharged under section 253, Criminal Procedure Code.	18th July 1910.	
		Kunja Bihari Das ...	Madhu Sudan Das ...	Pansha ...	Barisal ...	Do. ...	.....			
155	342, Indian Penal Code	Kula Chandra Chatarji ...	Mahesh Chandra Chatarji	Hizla ...	Babuganj ...	Do. ...	.....	Ditto ...	30th September 1907.	
		Ganga Charan Datta ...	Krishna Kumar Datta ...	Rakudia ...	Ditto ...	Do. ...	3 months rigorous imprisonment and fined Rs 10.	.....	11th November 1907; 342, Indian Penal Code.	
		Sadat Ali Khan ...	Daulat Khan ...	Rahamatpur ...	Ditto ...	Do. ...	1 month's rigorous imprisonment.	.....	11th November 1907; 342, Indian Penal Code.	
		Islam Khan ...	Asalot Khan ...	Rajkur ...	Ditto ...	Do. ...	Ditto ...	.....	Ditto.	
56	124A, Indian Penal Code.	Durga Mohan Sen ...	Sonatan Sen ...	Chandrakar ...	Gournadi ...	Do. ...	1 year's rigorous imprisonment and fined Rs. 1,000; in default, 6 months' rigorous imprisonment.	.....	12th December 1907; 124A, Indian Penal Code.	
		Ashutosh Bagchi ...	Ram Kanta Bagchi ...	Atok ...	Ditto ...	Do. ...	4 months' rigorous imprisonment and fined Rs. 200; in default, 2 months' rigorous imprisonment.	.....	Ditto.	
57	147, Indian Penal Code	Jotindra Nath Samaddar...	Sarada Prasanna Samaddar.	Kaurikara ...	Sarupkati ...	Do. ...	.....	Acquitted under section 258, Criminal Procedure Code.	17th January 1908.	
		Satyendra Nath Samaddar *alias* Bega.	Ditto ...	Ditto ...	Ditto ...	Do. ...	Ordered under section 562			

159	147, Indian Penal Code	Chandra Mohan Biswas ...	Dina Bandhu Biswas ...	Karikhora	Sarupkati .	Do. ...	..	Discharged under section 253, Criminal Procedure Code	19th February 1908 ...	Dead.
		Surja Kumar Biswas ...	Durga Charan Biswas ...	Ditto ..	Ditto ...	Do. ...	.. ...	Ditto ...	Ditto.	
		Khosal Chandra Samaddar	Biswambar Samaddar ...	Ditto	Ditto ..	Do. ...	.....	Ditto ...	Ditto.	
		Peary Lal Samaddar ...	Ditto ...	Ditto	Ditto ..	Do. ...	.....	Ditto ...	Ditto.	
		Agni K. Das ...	Kailash Chandra Das ...	Ditto	Ditto ...	Do. ..	.....	Ditto ...	Ditto.	
		Barada Kishor Biswas ...	Chandra Kishor Biswas ..	Ditto	Ditto .	Do. ..	.....	Ditto ...	13th March 1908 ...	Dead.
		Kristo Chandra Das ...	Aunada Charan Das ..	Sarupkati	Ditto ...	Do. ..	.....	Ditto ...	Ditto.	
		Saliendra Nath Das ...	Durga Mohan Das .	Karikhora	Ditto ...	Do. ..	.....	Ditto ..	Ditto.	
160	147 and 342, Indian Penal Code.	Ram Dhan Kamar ...	Loke Nath Kamar ..	Ditto	Sarupkati ..	Do. ..	.....	Mistake of fact; section 342, Indian Penal Code.	30th April 1908.	
		Loke Nath Kamar ...	Iswar Kamar .	Ditto	Ditto ..	Do. ...	.....	Acquitted under section 258, Criminal Procedure Code.	Ditto.	
		Ram Charan Kamar ...	Ram Kamal Kamar ...	Ditto	Ditto .	Do. .	...	.....	Ditto.	
		Nakul Kamar ...	Bhajan Kamar ...	Ditto	Ditto ...	Do. .	.....	.....	Ditto.	
		Har Kumar Kamar ...	Gopal Kamar ...	Ditto	Ditto ...	Do. ...	.....	.....	Ditto.	
	108, Criminal Procedure Code.	Basanta Kumar Sil *alias* Basanta Kumar Das.	Madhu Sudan Sil .	Rumshi	Jhalakati ..	Do.	Ordered to execute a bond of Rs. 200, with two sureties for Rs. 100 each, to keep the peace and to be of good behaviour for one year.	...	19th June 1908; 108, Criminal Procedure Code.	
	426, Indian Penal Code	Nakuleshwar Ray ..	Monim Chandra Ray ..	Pipalta ...	Ditto ..	Do. ...	. ...	Acquitted under section 345, Criminal Procedure Code.	11th July 1908.	
163	109, Criminal Procedure Code.	Debendra Nath Sen ..	Chandra Kanta Sen ..	Shalashpur	Mendiganj ..	Do. ...	Bound down for one year	....	29th September 1908; 109 Criminal Procedure Code.	
164	379, Indian Penal Code.	Bipin Narayan Basu ...	Bharat Narayan Basu .	Dhargati	Babuganj ..	Do. .		Discharged under section 253, Criminal Procedure Code.	5th November 1908.	
165	108, Criminal Procedure Code	Mukunda Lal Das *alias* Jugneshwar Das.	Guru Doyal Das ..	Bagura .	Barisal ..	Do	..	The case against him was held in abeyance as there were charges of substantive offences pending against him.	..	
		Kamini Kumar De .	Nanda Kumar De ...	Do. . .	Do	Do. .	Ordered to execute a personal recognizance of Rs. 100 to be of good behaviour for one year.	...	9th January 1909; 108, Criminal Procedure Code.	
		Monohar Chandra Das ..	Har Chandra Das .	Unasia . .	Kotwalipara .	Faridpur	Ditto .	... .	Ditto	
		Nabin Chandra Das	Banka Chandra Das .	Tarpasha . .	Jhalakati .	Bakarganj	Ditto ..	...	Ditto	
		Madhab Chandra Sil .	Kamala Kanta Sil .	Ditto ..	Ditto ..	Do .	Ditto	..	Ditto.	
		Radha Charan Das ..	Madhu Sudan Das ..	Nandakati . ..	Nalchiti	Do .	Ditto .	...	Ditto.	
		Hari Charan Datta	Nilmal Chandra Datta	Ponabaha . .	Jhalakati ...	Do .	Ditto		Ditto	
166	124A and 153A, Indian Penal Code.	Bhaba Ranjan Mazumdar	Harish Chandra Mazumdar	Barisal .	Barisal	Bakarganj	18 months' rigorous imprisonment and a fine of Rs. 500, in default six months' rigorous imprisonment under each of the sections and the sentences to run concurrently	..	9th January 1909; 124A and 153A, Indian Penal Code	
		Nibaran Chandra Mukharji	Durga Chandra Mukharji	Kashipur .	Do	Do. ..	6 months rigorous imprisonment	.	Ditto.	

BAKARGANJ—*contd.*

Serial No.	Section of Law.	Accused. Name.	Father's name.	Residence. Village.	Thana.	District.	Result of trial. Convicted.	Acquitted or discharged.	Date and section.	Remarks.
1	2	3	4	5	6	7	8	9	10	11
37	124A and 153A, Indian Penal Code.	Nibaran Chandra Mukharji	Durga Charan Mukharji ...	Kashipur	Barisal ...	Bakarganj ...	1 day's rigorous imprisonment under each of the sections 124A and 153A, Indian Penal Code.	.....	28th January 1909; 124A and 153A, Indian Penal Code.	
		Mukunda Lal Das *alias* Jogneshwar De.	Ganga Doyal De	Barisal town	Do. ...	Do. ...	1 year's rigorous imprisonment under each of the sections 124A and 153A, Indian Penal Code.	.....	Ditto.	
		Romesh Chandra De ...	Ditto	Ditto	Do. ...	Do. ...	9 months' rigorous imprisonment under sections 124A-114A and 153A-114, Indian Penal Code.	.....	Ditto	
38	Ditto ...	Mukunda Lal Das *alias* Jogneshwar De.	Ditto	Ditto	Do. ...	Do. ...	2 years' rigorous imprisonment and fine of Rs. 300; in default, 6 months' rigorous imprisonment.	.....	13th February 1909; 124A and 153A, Indian Penal Code.	
39	504, Indian Penal Code	Pyari Mohan Mohinta ..	Golok Mohinto	Sholok	Gournadi ...	Do. ...	15 days' rigorous imprisonment and fine of Rs. 250; in default, 1 month's rigorous imprisonment.	.....	16th February 1909; 504, Indian Penal Code.	Acquitted on appeal.
		Radk Lal Das Bairagi *alias* Raghu Nath Bairagi.	Ram Goti Pattock ...	Kanakdia	Baufal ...	Do. ...	1 month's rigorous imprisonment.	.....	Ditto.	
40	355, Indian Penal Code	Dauri *alias* Kali Charan Das.	Abhaya Charan Das ...	Sagardi	Barisal ...	Do. ...	....	Acquitted under section 345, Criminal Procedure Code.	8th April 1909.	
		Bihari Lal Basu	Nil Kamal Basu	Elubar	Sarupkati ...	Do. ...	.....	Ditto ...	Ditto.	
41	379, Indian Penal Code	Upendra Nath Chakrabatti	Kali Prasanna Chakrabartti.	Khairabad	Bakarganj ...	Do. ...	....	Acquitted under section 258, Criminal Procedure Code.	19th April 1909.	
		Jotindra Nath Sarkhel ...	Kali Prasanna Sarkhel ...	Ditto	Ditto ...	Do. ...	1 month's rigorous imprisonment under section 379, Indian Penal Code.	.....	Ditto.	
		Ashwini Kumar Barnabipra	Akhil Chandra Barnabipra	Baligao	Ditto ...	Do. ...	Ditto ...	.....	Ditto.	
	107, Criminal Procedure Code,	Ram Kumar Das	Ram Chandra Das ...	Durgapur	Ditto ..	Do. ...	...	Discharged under section 119, Criminal Procedure Code.	30th June 1909.	
		Dwarika Nath Das ...	Raj Kumar Das	Ditto	Ditto ..	Do. ...				
		Chinta Haran Aich ...	Bishnu Charan Aich	Ditto	Ditto					

174	395, Indian Penal Code.	Suresh Chandra Banarji *alias* Hazma.	Purna Chandra Banarji ..	Pangsa	Babugaon ...	Do ..	.....	Released by the Magistrate.	3rd November 1909.	
175	420, Indian Penal Code.	Shasi Bhusan Das Gupta	Becharam Das Gupta	Joysurekari	Gournadi	Do	Fined Rs. 200, in default, 6 weeks' rigorous imprisonment.	..	16th June 1910; 420, Indian Penal Code.	
		Ananta Kumar Chakrabartti.	Jagat Chandra Chakrabartti.	Goila	Ditto ...	Do ...	.. ..	Discharged under section 253, Criminal Procedure Code.	Ditto.	
176	417, Indian Penal Code.	Shasi Bhusan Das Gupta	Becharam Das Gupta ..	Joysurekati	Ditto	Do. ...	...	Discharged under section 259, Criminal Procedure Code.	8th September 1910	
		Hemanta Kumar Rudra, vakil.	Modhub Chandra Rudra ..			...	...	Ditto ...	Ditto.	
		Ananta Kumar Chakrabartti	Jagat Chandra Chakrabartti.	Goila ...	Gournadi ..	Bakarganj ..	....	Ditto ...	Ditto.	
		Haran Chandra Guha *alias* Durga Prasanna Guha.	Har Nath Guha .	Sumeldi .	Sinagar .	Dacca ...	....	Ditto .	Ditto.	
		Srish Chandra Chattakmukhtear	Mohan Chandra Chattak	Pirozabad	Pirozabad ...	Bakarganj	.	Ditto ..	Ditto.	
177	109, Criminal Procedure Code.	Nalini Kanta Sen Gupta	Har Kisher Sen Gupta	Kamarkanda	Munsiganj .	Dacca	Bound down for 1 year under section 109 Criminal Procedure Code	..	28th July 1911; 109, Criminal Procedure Code.	
178	Ditto .	Narendra Mohan Ghosh Chaudhuri.	Gopal Chandra Ghosh Chaudhuri	Dattagram	Lakshmipur .	Noakhali	Ditto	.	6th December 1911 109 Criminal Procedure Code.	
179	395, Indian Penal Code.	Jnanendra Sen .	Murari Mohan Sen ...	Sarmodal	Nalchiti	Bakarganj .	.	Discharged under section 109 Criminal Procedure Code.	18th June 1912.	
		Jyotindra Nath Gupta .	Sri Nath Gupta	Dacca	Ditto .	Do. ..	...	Ditto ...	Ditto.	
		Surendra Nath Datta	Har Nath Datta	Pambar	Ditto	Do	..	Ditto .	Ditto	
180	121A, Indian Penal Code.	Ramesh Chandra Acharji	Kali Prasanna Acharji	Bagura	Rajabari	Dacca	12 years transportation		22nd January 1914, 121A, Indian Penal Code	
		Priya Nath Acharji	Kali Charan Acharji	Do.	Ditto .	Do.	7 years transportation ..	..	Ditto.	
		Narendra Mohan Sen	Prabhat Chandra Sen	Nawada	Kotwali	Do	.	Acquitted ..	Ditto	
		Manmatha Bhushan Ray	Narendra Chandra Ray	Kumarkhali	Lalmai	Faridpur	....	Ditto .	Ditto	
		Sarada Kanta Bhattacharji	Durga Pada Bhattacharji	Saparbari	Narayanganj	Dacca	...	Ditto .. .	Ditto	
		Jnan Ranjan Das Gupta	Abhi Chandra Das Gupta	Bagura	Tangibari	Do	....	Ditto ..	Ditto.	
		Satish Nath Mukhtar	Trailakya Nath Mukhtar	Mujibara	Sirajganj	Do ..	4 years rigorous imprisonment.	.	Ditto.	
		Nirod Kanta Ghosh	Uma Kanta Ghosh	Chitrain	Nawabganj .	Dacca	4 years' rigorous imprisonment	...	22nd January 1914, 121A, Indian Penal Code	
		Dharendra Kumar Basu	Hemanga Kumar Basu	Bagura	Sirajganj .	Do. ..	.	Acquitted	Ditto	
		Satish Chandra Chakrabartti.	Sarala Charan Chakrabartti	Sirajganj	Rangani	Noakhali ..		..	.	Withdrawn.
		Hemendra Nath Mozumdar	Rajendra Nath Mozumdar	Sonarang ..	Tangibari	Dacca .	....	Acquitted	22nd January 1914, 121A, Indian Penal Code.	
		Satish Chandra Chakrabartti	Taraq Chandra Chakrabartti	Mayamati ..	Shambag	Noakhali ..	.	..	.....	Withdrawn
		Nalini Ranjan Mitra	Prasanna Kumar Mitra	Sri Jaipara	Ramganj .	Ditto ...	.	Acquitted ...	22nd January 1914; 121A, Indian Penal Code	

BAKARGANJ—*concld.*

Serial No.	Section of Law.	ACCUSED. Name	Father's name	RESIDENCE. Village.	Thana	District.	RESULT OF TRIAL. Convicted.	Acquitted or discharged.	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
	[*Vide* Serial No. 180.]	Chandi Charan Basu	Tarini Charan Basu ...	Debergaon	Babuganj	Bakarganj	4 years' rigorous imprisonment		22nd January 1914; 121A, Indian Penal Code.	
		Debendra Nath Ghosh	Nibaran Chandra Ghosh ...	Kaunia	Barisal	Do	....	Acquitted.	Ditto	
		Jyotindra Nath Ray *alias* Phegu Ray	Parbati Chandra Ray	Koshangal	Nalchiti	Do	12 years' transportation	...	Ditto.	
		Nibaran Chandra Kar	Pitambar Kar	Ramanandi	Mendiganj	Do.	10 years transportation	...	Ditto.	
		Jatindra Mohan Ghosh	Ram Krishna Ghosh	Dakshin Paikcha	Srinagar	Dacca	Ditto	.....	Ditto.	
		Shashanka Mohan Ghosh	Ditto	Ditto	Do.	Do	.....	Acquitted	Ditto	
		Narendra Nath Sen Gupta	Bhawani Das Sen Gupta	Shabashpur	Mendiganj	Bakarganj	.....	Ditto	Ditto.	
		Mukunda Lal Guha	Chandra Kanta Guha	Abhoyni	Nalchiti	Do	.....	Ditto	Ditto.	
		Abinash Chandra Datta Chaudhuri.	Ksherra Mohan Datta Chaudhuri.	Koshangal	Ditto	Do.	.....	Ditto	Ditto.	
		Gopal Chandra Mukharji	Sri Ram Mukharji	Amgram	Madaripur	Faridpur	.....	Ditto	Ditto.	
		Nishi Kanta Das Gupta ...	Ambika Chandra Das Gupta	Sidhakati	Nalchiti	Bakarganj	.....	Ditto	Ditto.	
		Rohini Kumar Guha	Rasik Chandra Guha	Bahadurpur	Do.	Do	10 years' transportation	.....	Ditto.	
		Kumud Bandhu Nag	Chandra Kumar Nag	Phulbaria	Brahmanbaria	Tippera	2 years' rigorous imprisonment.	...	Ditto.	
		Devendra Chandra Banikya.	Krishna Chandra Banikya	Sonamganj	Narayanganj	Dacca	Ditto	....	Ditto.	
		Gopal Chandra Mitra	Basanta Kumar Mitra	Kauria	Badurtum	Bakarganj	7 years' transportation	....	Ditto	
		Rajani Kanta Das	Iswar Chandra Das	Lata	Mendiganj	Do	....	Discharged under section 209, Criminal Procedure Code	22nd January 1914.	
		Chandi Charan Kar	Gopal Krishna Kar ...	Ramanandi	Ditto	Do	3 years' rigorous imprisonment.	.....	31st May 1915; 121A, Indian Penal Code.	
		Ramesh Chandra Das Gupta *alias* Bankim Chandra Ray *alias* Arun Chandra Ray.	Kshirod Chandra Das Gupta.	Kalia ...	Kalia	Jessore	....	Discharged under section 209, Criminal Procedure Code.	22nd January 1914.	
81	121A, Indian Penal Code.	Madan Mohan Bhaumik *alias* Madan Mohan Chandra Bhaumik *alias* Kulada Prasad Ray.	Kailash Chandra Bhaumik.	Dumni ...	Kotangani	Dacca	10 years' transportation		29th November 1916. Section 121A, Indian Penal Code	
		Trailakhya Nath Chakrabartti *alias* Kali Charan Chakrabartti *alias* Biroja Kanta Chakrabartti.	Durga Das Chakrabartti	Kapasatia ...	Bajitpur	Mymensingh	15 years' transportation ...	.....	Ditto ...	On appeal the High Court reduced the sentence of No. 2 to 10 years and No. 3 to 7 years' transportation. The sentences of Nos. 4 and 5 were set aside and the
		Khagendra Nath Chaudhuri *alias* Suresh Chandra Chaudhuri.	Trailakhya Nath Chaudhuri	Banglabazar	Dacca	Dacca	10 years' transportation ...	.....	Ditto	
		Pratul Chandra Ganguli	Mohini Chandra Ganguli	(1) Churain, Barakhan. (2) Panitala, at the house of	Nawabganj Dacca	Do. Do.	Ditto	...	Ditto	

CALCUTTA.

182	188, Indian Penal Code	Maulvi Liyaqat Husain ...	Pir Ali Khan	No. 22-4, Mechua Bazar Street Cocotola, Calcutta ...			Warned and discharged ...	.....	4th August 1911.	
183	109, Criminal Procedure Code.	Khagendra Nath Das *alias* Gursha.	Kali Charan Das	Kokandha	Bakarganj ...	Bakarganj ...	Bound down on security of Rs. 100, with one surety of Rs. 100, to be of good behaviour for 6 months, or 6 months' rigorous imprisonment.	....	7th April 1911; 109, Criminal Procedure Code	
184	188, Indian Penal Code	Mr John Cowan	Not known	Not known	Not known ...	Not known ..	Fined Re. 1, or detained till the rising of the Court.	.....	13th January 1912; 188, Criminal Procedure Code.	
185	19 (*f*) of Act XI of 1878.	Kedar Nath Ghosh ..	Dina Nath Ghosh .	Lakhandia	Nagarkandi	Faridpur ...	.	Acquitted	4th June 1913.	
		Purna Chandra Das ...	Kashi Nath Das .	Isibpur	Madaripur ..	Ditto ...		Ditto	Ditto.	
186	471, Indian Penal Code	Purna Chandra Das ..	Kashi Nath Das ..	No. 12, Turibullah Lane, Taltala, Calcutta ...			....	Ditto	27th June 1912.	
187	406, Indian Penal Code.	K. N. Ghosh	D. N. Ghosh .	Lakhandia .	Nagarkandi ...	Faridpur ..	6 months' rigorous imprisonment	...	4th June 1913 ..	Conviction set aside by the Hon'ble High Court, Calcutta, on 27th August 1913.
188	62A clause (3) of Act IV of 1886	Liyaqat Husain	Pir Ali Khan . ..	No 22-4, Mechua Bazar Street, Cocotola, Calcutta			1 month's simple imprisonment.		9th January 1914; 62A, clause (3) of Act IV of 1886.	
189	109, Criminal Procedure Code.	Sailendra Kumar Singha ..	Ram Brahmo Singha ...	Satrajitpur .	Magura ...	Jessore ...	To execute a bond, with two sureties for Rs. 1,000 each, to be of good behaviour for 1 year, or 1 year's rigorous imprisonment.	..	4th September 1914 109 and 110, Criminal Procedure Code.	
190	4 of Act VI of 1908 and 5 of Act VI of 1908.	Sasanka Sekhar Hazra *alias* Amrita Hazra	Kali Charan Hazra .	Dagadia.	Sirinagar .	Dacca	15 years' transportation .	..	June 1914 ..	On appeal the conviction of Sasanka Sekhar Hazra only was upheld and the rest acquitted by the High Court on 25th February 1914
		Dinesh Chandra Das Gupta	Satish Chandra Das Gupta	Chirana	Mirzapur .	Do. ..	10 years' transportation .	....	Ditto	
		Chandra Sekhar De	Late Gopinath Charan De	Satul Kandi ...	Bancharampur	Tippera	Ditto ..	....	Ditto.	
		Sarada Chandra Guha	Gobindra Chandra Guha ..	Malgao ..	Gosairhat	Faridpur	Ditto ..	..	Ditto.	
		Hiranmoy Banerji		No. 135, Ganesh Mahalla, Benares				Discharged by the Magistrate	21st February 1911	
		Khagendra Nath Chaudhuri	Tara Nath Chaudhuri	Shergar	Sabhar ..	Dacca ...	.	Discharged by the Sessions Judge	17th June 1914	
		Kalipada Ghosh alias Upendra Lal Ray Chaudhuri	Bihari Lal Ray Chaudhuri	Bhoria ..	Gosairhat	Faridpur	10 years' transportation			
191	302, Indian Penal Code.	Nirmal Kanta Ray .	Bamini Kanta Ray	Dasera ...	Manikganj ..	Dacca ...	.	Acquitted ...	8th April 1914.	
192	109, Criminal Procedure Code.	Khagendra Nath Das ..	Ramesh Chandra Das ...	Chargaria	Kasba .	Tippera	To execute a bond with two sureties for Rs. 1,000 each, for good behaviour for 1 year, or 1 year's rigorous imprisonment		8th August 1914; 109 Criminal Procedure Code	

CALCUTTA—*contd.*

Section of Law	ACCUSED. Name.	Father's name	RESIDENCE. Village.	Thana.	District.	Convicted	RESULT OF TRIAL. Acquitted or discharged.	Date and section	REMARKS.
2	3	4	5	6	7	8	9	10	11
302 and 307, Indian Penal Code; 19 of Act XI of 1878, and 3 of Act VII of 1908.	Nagendra Nath Sen Gupta	Kristo Jiban Sen Gupta ...	No. 43, Cornwallis Street, Sukea Street thana, Calcutta ..			..	Acquitted	22nd March 1915.	
109 114, 120B, 381, 408, 414, Indian Penal Code; 19 (*f*) of Act XI of 1878.	Sirish Chandra Mitra ...	Madhu Sudan Mitra .	Raspur	Amta ...	Howrah .	.. ...	..	.....	Absconded.
	Ananta Chandra Mukharji	Nibaran Chandra Mukharji	No. 36, Malanga Lane, Bow Bazar Calcutta ..			.....	Acquitted	30th March 1915.	
	Kali Das Basu	Bistu Charan Basu ..	No. 7 Haidar's Lane, Bow Bazar Calcutta ...			2 years' rigorous imprisonment	.....	30th March 1915; 120B Indian Penal Code read with 19 (*f*) of Act XI of 1878 and 109, Indian Penal Code.	
	Girendra Nath Banarji .	Sarat Chandra Banarji .	No. 4-3, Malanga Lane, Bow Bazar Calcutta .			.....	Acquitted	30th March 1915.	
	Narendra Nath Banarji ...	Hem Chandra Banarji ..	Ditto	ditto	ditto ...	2 years' rigorous imprisonment.	. . .	30th March 1915; 120(B), Indian Penal Code, read with 19(*f*) of Act XI of 1878 and 109, Indian Penal Code.	
	Bhalanga Bhusan Dhar ..	Banka Bihari Dhar .	No. 3 Jamapara Lane, Puddopukur Calcutta ..			Ditto .	.....	30th March 1915; 120 (B), Indian Penal Code, read with 19 (*f*) of Act XI of 1878 and 109, Indian Penal Code.	
	Budya Nath Biswas .	Durga Pada Biswas .	Dumka	Dumka	Santal Parganas	.....	Discharged . ..	12th November 1914.	
	Hari Das Datta	Krishna Chandra Datta .	Nageswari	Nageswari ...	Rangpur ..	2 years' rigorous imprisonment.	. ..	30th March 1915; 120B, Indian Penal Code, read with 19 (*f*) of Act XI of 1878 and 109, Indian Penal Code.	
	Ashutosh Ray . .	Mahim Chandra Ray ..	Hemnagar	Pabna ..	Pabna ..	. ..	Acquitted	30th March 1915.	
	Prabhudayal Marwari ..	Ram Rekha Marwari ...	No. 138 Cotton Street, Jorabagan, Calcutta			...	Discharged	12th November 1914.	
	Upendra Nath Sen Mullick	Kanai Lal Sen Mullick .	No. 27, Madan Boral's Lane, Bow Bazar, Calcutta			.. .	Ditto	Ditto.	
19(*f*) and 20 of Act XI of 1878.	Upendra Nath Sen ...	Kanai Lal Sen .	Ditto	ditto	ditto .	.....	Discharged under section 494, Criminal Procedure Code.	6th April 1915.	
19 (*f*) of Act XI of 1878	Hari Das Datta ..	Krishna Chandra Datta ...	Nageswari ..	Nageswari .	Rangpur ...	.....	Discharged ...	22nd April 1915.	
103, Criminal Procedure Code.	Rabindra Nath Sen Gupta *alias* Rabindra Mohan Sen Gupta.	Prasanna Kumar Sen Gupta.	No. 30, Upper Circular Road Calcutta			Convicted	.....	24th February 1914; 109, Criminal Procedure Code.	This case was instituted in the Central Court and was subsequently

										Chotzner, Esq., Additional Sessions Judge, 24-Parganas, Alipur, on the 17th October 1914.
200	110, Criminal Procedure Code.	Birendra Chandra Chatarji *alias* Nagendra La. Chatarji.	Tarini Charan Chatarji ...	Akshaoy Fatehganjpur	Palong	Faridpur .	Bound down with two sureties of Rs. 10,000 each for three years, in default three years' rigorous imprisonment.	.....	27th April 1915 ; 110, Criminal Procedure Code.	..
201	109 (A) and B), Criminal Procedure Code	Narendra Nath Sen *alias* Narendra Mohan Sen	Prabhat Chandra Sen ...	Atrapur .	Bahirabazar or	Dacca .	Bound down with two sureties of Rs. 3,000 each for one year, or one year's rigorous imprisonment.	..	19th March 1915 ; 109, Criminal Procedure Code.	
				Narandia .	Sutrapore .	Do				
					Narayanganj .. or	Do				
				5, Colootola Street, Calcutta.						
202	109 (A), Criminal Procedure Code.	Kshitish Chandra Banarji	Akshay Kumar Banarji	Madhu	Madaripur	Faridpur ..	.....	Discharged .	19th March 1915.	
203	216, Indian Penal Code	Debi Lada Ray *alias* Lal Mohan De	Girish Nath De	Madhyapara .	Sreedhkhan	Dacca .	2 years' rigorous imprisonment.		7th December 1914, 216, Indian Penal Code.	
		Prabhulla Kumar Bhattasali	..	Dosreenagar .	Gosairhat ..	Faridpur .	1 year's rigorous imprisonment.			
		Nalini Kishor Guha	Late Radha Kishor Guha	Barasagram	Munshiganj .	Dacca	Ditto			
204	Ditto .	Gopal Chandra Ray	Srish Chandra Ray	Shambhar .	Sabhar	Dacca	..	Acquitted under section 256, Criminal Procedure Code	7th December 1914.	
205	109, Criminal Procedure Code	Sisir Kumar Sen *alias* Sisir Kumar Ray.	Bhairab Charan Ray	Madhukar ..	Sabhar .	Faridpur	Bound down for 10 months for Rs. 1,000, with two sureties of Rs. 500 each for 10 months rigorous imprisonment.	.	25th November 1914, 109, Criminal Procedure Code.	
206	Ditto ..	Taras Swar Gupta ..	Barada Kanta Ghosh ..	Bara Gopal .	Munshiganj	Dacca	Bound down for 1 year for Rs. 500, with two sureties of Rs. 250 each or 1 year's rigorous imprisonment.		7th December 1914, 109, Criminal Procedure Code.	

CALCUTTA—*concld.*

Serial No	Section of Law.	ACCUSED: Name.	Father's name.	RESIDENCE: Village.	Thana.	District	RESULT OF TRIAL: Convicted.	Acquitted or discharged.	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
207	302 and 109, Indian Penal Code.	Chitta Priya Ray Chaudhuri	Pan Ganada Ray Chaudhuri	Khara	Madaripur	Faridpur	...	...	...	Absconded; subsequently shot dead at Balasore on 9th September 1915.
		Kiran Chandra Mukharji	Amrita Lal Mukharji	Bhugilhat	Abhoynagar	Jessore	Case withdrawn by Government Prosecutor.	Discharged	20th March 1915; 494, Criminal Procedure Code.	
		Atindra Nath Basu	Apurba Krishna Basu	No. 51-4, Nayan Chand Dutt's Street, Calcutta			Ditto	Ditto	Ditto.	
		Hem Chandra Mukharji	Kula Chandra Mukharji	Habiganj	Madaripur	Faridpur	Ditto	Ditto	Ditto.	
		Kula Raman Mukharji	Kunji Lal Mukharji	Naria	Palong	Do	Ditto	Ditto	Ditto.	
		Dhiresh Chandra Chakrabartti.	Golak Chandra Chakrabartti.	Fursai	Srinagar	Dacca	Ditto	Ditto	Ditto.	
		Suresh Chandra Chaudhuri	Sharma Kanta Chaudhuri	Daharpara	Kotalipara	Faridpur	Ditto	Ditto	Ditto.	
		Radhika Mohan Sarkar	Krishna Kumar Sarkar	Khalpur	Nawabganj	Dacca	Ditto	Ditto	Ditto.	
		Umesh Chandra Das	Kashi Nath Das	Sama Isibpur	Rajoir	Faridpur	Ditto	Ditto	Ditto.	

CHITTAGONG.

208	302-120 B; 302-511 and 302, Indian Penal Code.	Aditya Chandra Datta *alias* Saraj Bandhu Datta *alias* Nishi Datta *alias* Sachindra Nath Datta	Ananda Chandra Datta	Barama	Rupganj	Dacca	.....	Acquitted	3rd March 1915; 306, Criminal Procedure Code.	
		Nalini Kanta Ghosh *alias* Nikhil Nath Ray *alias* Nikhil Chakrabartti *alias* Narendra Nath Ray *alias* Master.	Jay Chandra Ghosh	Jhowgara	Do.	Do.	.....	.....	.....	Absconding. The case was withdrawn subsequently against Nalini Kanta Ghosh.

DACCA.

209	147 and 323-114, Indian Penal Code.	Monini Mohan Ray	Ram Kumar Ray (deceased)	Satirpara	Narsingdi	Dacca	.....	.....	.....	Declared not wanted as he was absconding.
		Raj Kumar Chakrabartti	Golak Chandra Chakrabartti.	Algi	Rupganj	Do.	3 months' rigorous imprisonment and fined Rs. 300	.....	10th July 1906; 147 and 323-114, Indian Penal Code.	
		Laloo Peada	...	.....	Raipura	Do	6 months' rigorous impri-	.....	Ditto	

		Debendra Chandra Poddar	Dinabandhu Poddar	Ditto	Ditto	Do.	Ditto		147, Indian Penal Code	
		Mati Lal Shaw	Jagabandhu Shaw	Digbirpar (Kidarama)	Ditto	Do.	Ditto		Ditto.	
		Madhab Chandra Shaw	Abhay Charan Shaw	Ditto (ditto)	Ditto	Do.	Ditto		Ditto	
		Bipin Chandra Shaw	Guru Charan Shaw	Digbirpar	Ditto	Do.	Ditto		Ditto.	
		Nakari Naudi	Golak Naudi	Rajabari	Ditto	Do.	Ditto		Ditto.	
		Rebati Mohan Mandal	Radha Charan Mandal	Salak	Ditto	Do.	Ditto		Ditto.	
		Bhuban Chandra Parsar	Isvar Chandra Sarkar	Do.	Ditto	Do.	Ditto		Ditto	
		Golak Chandra Sil	Ananda Chandra Sil	Baharak	Ditto	Do.	Ditto		Ditto.	
		Radha Ballav Kundu	Isvar Chandra Kundu	Rajabari	Ditto	Do.	Ditto		Ditto.	
		Navadwip Chandra Pal	Hari Mohan Pal	Ditto	Ditto	Do.	Ditto		Ditto.	
		Shashi Mohan Shaw	Baishnab Chandra Shaw	Digbirpar	Ditto	Do.	Ditto		Ditto.	
		Kunja Bihari Shaw	Rabi Shaw	Ditto	Ditto	Do.	Ditto		Ditto.	
		Ram Prasad Das	Nirvananda Das	Angam	Ditto	Do.	Ditto		Ditto.	
		Debendra Chandra Das	Madhu Sudan Das	Nagarbari	Ditto	Do.	Ditto		Ditto.	
211	Ditto	Ashutosh Chakrabartti	Umesh Chandra Chakrabartti.	Dhamrai	Dhamrai	Do.	Sentenced to pay a fine of Rs. 150.		147. Indian Penal Code.	
		Kiran Bikash Ray	Kedareswar Ray	Ditto	Ditto	Do.	Ditto		Ditto.	
		Jogesh Chandra Kar *alias* Ranu.	Ananda Chandra Kar	Ditto	Ditto	Do.	Ditto		Ditto.	
		Sharashi *alias* Tenu Chakrabartti.	Isiwar Chandra Chakrabartti	Ditto	Ditto	Do.	Ditto		Ditto	
		Dinesh Chandra Mazumdar	Kailash Chandra Mazumdar.	Ditto	Ditto	Do	Ditto		Ditto.	
		Jogesh Chandra Mazumdar	Durga Charan Mazumdar	Ditto	Ditto	Do.	Ditto		Ditto.	
		Mahantia Chakrabartti	Rajani Kanta Chakrabartti	Ditto	Ditto	Do.	Ditto		Ditto.	
212	Ditto	Rabi *alias* Srish Chandra Pal	Sarat Chandra Pal	Muhaiga	Singai	Do	Fined Rs. 50			In a foreign cloth burning case of Nawabganj police-station.
213	.....									In this case some Muhammadans of Wari were assaulted by members of the *Anushilan Samiti*. Pulin Das and six others were sent up and sentenced to short terms of imprisonment. Records destroyed.
214	324, Indian Penal Code	Jotirmay Ray *alias* Benga	Mohim Chandra Ray	Sabanzabazar	Sirrapur	Dacca	Sentenced to rigorous imprisonment		8th October 1907, 324 Indian Penal Code	Number of case not forthcoming as all records destroyed.
215	326, Indian Penal Code								...	In this case complainant Shashi Kumar Dey died of his wounds and the section was changed to 304 Indian Penal Code. After the arrest of Khagendra Kumar Ghosh, Tara Prasanna Ray and Pramod Kumar Ghosh the case was finally reported as true, showing Jogesh Rauth, Birendra Kumar Basu, Ramani Datta, Surendra Mazumdar and Nripendra Chakrabartti as absconders; but after their arrest the case was dropped by the Additional Magistrate of Dacca.

DACCA—*contd.*

Trial No.	Section of Law.	Accused. Name	Father's name.	Residence. Village	Thana.	District	Result of trial. Convicted	Acquitted or discharged	Date and section	Remarks.
1	2	3	4	5	6	7	8	9	10	11
216	396, Indian Penal Code.	Kristo Chandra Mandal ..	Kandani Mandal	Bamankitta . .	Kerunganj ..	Dacca	.....	Discharged by the Hon'ble High Court.	10th May 1909; 259, Criminal Procedure Code.	
		Kakaram Mandal	Gopal Mandal	Ari	Ditto .	Do . .	.....	Ditto .	Ditto.	
		Kartik Chandra Datta ..	Sri Krishna Datta	Santipur	Santipur ...	Naha	.....	Ditto .	Ditto.	
		Birendra Kumar Malli .	Jogendra Chandra Malik	Kalna .. .	Kalna	Burdwan ..	....	Ditto ...	Ditto.	
		Rai Mohan Datta	Hari Mohan Datta ...	Ashuha	Sabhar	Dacca	...	Discharged by Mr. Lane, Additional Magistrate, Dacca.	5th December 1908, 209, Criminal Procedure Code.	
		Kali Narayan Sarkar ..	Naba Narayan Sarkar ...	Do	Do.	Do	....	Ditto	Ditto.	
		Lalit Kanta Sarkar ...	Lakhi Kanta Sarkar .	Do.	Do . ..	Do.	.. ...	Ditto	Ditto	
		Lakhi Kanta Sarkar ...	Uday Chandra Sarkar .	Do	Do . ..	Do.	.....	Ditto . ..	Ditto.	
		Jagat Chandra Ray ..	Ramesh Chandra Ray .	Do	Do . ..	Do . ..	....	Ditto	Ditto.	
		Ashwini Kumar Chanda ..	Ram Kanai Chanda ...	Chitalkote	Srinagar ..	Do.	.....	Ditto	Ditto	
217	379 and 411, Indian Penal Code.	Trailakya Chakrabartti ...	Durga Charan Chakrabartti.	Kapasatia	Bantpur ..	Mymensingh ...	4 months' rigorous imprisonment and fined Rs 50; in default, 1 month's rigourous imprisonment. Appeal dismissed by the Sessions Judge.	.....	19th October 1908; 379 and 411, Indian Penal Code.	Records destroyed.
		Binod Bihari Chakrabartti.	Chandra Nath Chakrabartti.	Khidirpara	Monohardi ..	Dacca	Ditto ...	.....	Ditto.	
		Jadu Nath Das	Kali Nath Das . ..	Manikdaha	Ditto ..	Do. ...	Ditto ...	.....	Ditto.	
18	108, Criminal Procedure Code.	Hem Chandra Sen ..	Govinda Chandra Sen .	Madhyapara	Sirajdikhan ...	Dacca	Bound down for 1 year	.....	22nd January 1909; 108, Criminal Procedure Code.	For reading seditious essays at Madhyapara
19	19 and 20 of the Arms Act.	Sasi Kanta Sarkar	Lakhi Kanta Sarkar ..	Ashuha	Sabhar	Dacca	4 months' rigorous imprisonment	....	11th January 1910; 19 (f) of the Arms Act.	Offshoot of Barrah dakaity
10	19 and 20 of the Arms Act.	Biraj Gangali	Kailash Gangali	Adabari .. .	Tangibari ...	Dacca	Convicted	... ..	.. ...	Acquitted on retrial.
		Rajendra Barari	Kamini Barari	Do	Do	Do.	Do.	... .	. ....	Ditto.
		Abani Ganguli	Kailash Ganguli	Do. .	Do .	Do	Do. ...	.....	.. ...	Ditto
		Jogendra Chakrabartti ...	Sashi Chakrabartti ..	Do.	Do. ...	Do.	Do.	.....	.....	Ditto.
		Sarada Chakrabartti ...	Ram Kumar Chakrabartti	Do.	Do ..	Do	Do	.... .	.....	Was absconding and not wanted after appeal made by the first four men.
		Satish Mukharji	Ananda Mukharji... ..	Do.	Do ..	Do ..	. ...	.....	.....	Ditto.
		Ganga Charan Datta ...	Dinabandhu Datta ...	Do	Do. ...	Do ...	.... .	....	.....	Ditto
1	395 and 398, Indian Penal Code.	Suresh Chandra Sen Gupta	Sarat Chandra Sen Gupta	Madhyapara .. .	Sirajdikhan ..	Dacca .	Sentenced to			

223	19 of Act I of 1878 ..	Braja Bahar Das ..	Hari Charan Das ...	Deobhog	Narayanganj	Do	1 year's rigorous imprisonment.	....	23rd December 1909; 19, of Act I of 1878. (Arms Act case.)	Dangerous
224	147, Indian Penal Code.	Jamini Mohan Das ...	Bhubaneswar Das	Sirajghal . ..	Rupganj ..	Do ..	3 months' rigorous imprisonment	. ...	13th December 1909; 147, Indian Penal Code.	
	Ditto ...	Hemendra Nath Dhar ...	Narendra Nath Dhar .	Chandpur ...	Sonargaon .	Do.	Ditto ..	..	Ditto.	
	Ditto ...	Kamini Kanta Bhattacharya	Ananda Kumar Bhattacharya	Mekhari .. .	Tangibari ..	Do. ..	...	Discharged ...	.....	
	Ditto ...	Jogendra Mohan Das	Purna Chandra Das	Deobhog ...	Narayanganj ..	Do ..	3 months rigorous imprisonment.	.....	13th December 1909; 147, Indian Penal Code.	
	Ditto ...	Aditya Datta	Ananda Ch. Datta .	Baruna .	Rupganj ..	Do. ..	Ditto ...	....	Ditto.	
225	109, Criminal Procedure Code.	Santi Pada Mukharji *alias* Achintananda Basak *alias* Pramatha Nath Mukharji.	Sita Nath Basak .	Kisorepur	Lohagara	Jessore .	Bound down for one year and directed to furnish security of Rs. 2,000 with two sureties of Rs. 5,000 each.	.. .	10th February 1910; 109, Criminal Procedure Code.	
	Ditto ...	Lal Mohan De .	Gopal Nath De	Mahmudpur	Sarankhola .	Dacca ..	Bound down for one year and directed to furnish a bail of Rs. 1,000 and two sureties of Rs. 500 each in default one year's rigorous imprisonment.		29th August 1910; 109 Criminal Procedure Code	
226	307, Indian Penal Code.	Hiranya Kumar Gupta . Nripendra Chandra Chakrabarti	Hari Kumar Gupta Sasi Kumar Chakrabarti	Mahbubganj Faridpur	Bhagatpur Sonargaon	Do. Do. .	. .	Acquitted Ditto	.. ..	
227	109, Criminal Procedure Code	Chandra Sekhar De *alias* Pramatha Nath Sen.	Chandi Charan De	Safipur	Panchgram .	Tippera	Bound down for one year and bound to furnish a bail of Rs. 2,500 and five sureties of Rs. 500 each in default one year's rigorous imprisonment.		22nd September 1910, 109, Criminal Procedure Code	
228	Ditto ..	Jogendra Chandra De Gupta.	Tarak Chandra Deshmukhi	Karma .	Tangail	Dacca .	Ditto .		17th August 1910	
229	19 of Act I of 1878 ..	Mahim Chandra Modak .	..	Mawsunia		Dacca	6 months rigorous imprisonment.	.	11th August 1910, 19 of Arms Act.	Record destroyed.
		Nitai Chandra Saha Banikya.	..	Do	..	Do. ...	2 years' rigorous imprisonment.	...	Ditto.	

DACCA—*contd.*

Serial No.	Section of Law.	ACCUSED. Name.	Father's name	RESIDENCE. Village.	Thana.	District.	RESULT OF TRIAL. Convicted.	Acquitted or discharged.	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
230	1.0, Criminal Procedure Code.	Ali Baksh *alias* Hedayet Master.	....	Dacca town	.		Bound down for 1 year ...	...	110, Criminal Procedure Code; 6th September 1910.	
231	325, Indian Penal Code.	Naba Kanta Mukhuti ..	.....	Ichapur . ..	Sreadhikhan	Dacca ..	2 years' rigorous imprisonment and to execute a bond of Rs. 500 for one year under section 106, Criminal Procedure Code.	...	28th May 1910; 325, Indian Penal Code.	
		Pachu *alias* Rajjab Ali ...	... .	.....	.....	.....	2 years' rigorous imprisonment and to execute a bond of Rs. 50 with two sureties for 1 year.	... .	Ditto.	
		Nemai Dhali ..	.. ...	.....	...	... .	8 months' rigorous imprisonment.	.....	28th May 1910; 325 and 114, Indian Penal Code.	
232	4 (b) of the Explosives Act, and 399, Indian Penal Code.	Lalit Chandra Chaudhuri.	Sashi Chaudhuri .	Baghbari, Kalipara ...	Matlab ..	Tippera ..	Transported for 10 years	.....	10th April 1911; 4 (b) of the Explosives Act.	
		Jatindra Kumar Chaudhuri (Lalit's cousin).	Raj Kumar Chaudhuri ...	Ditto	Do. ...	Do. ...	.....	Discharged by the Sessions Judge as there was no evidence.	10th April 1911.	
		Har Kumar Dhar (Lalit's servant).	. ..	Augarpara	Ramganj ...	Noakhali	.	Ditto ...	Ditto.	
233	19 (*f*), Arms Act ...	Upendra Chandra Sarkar	Ram Chandra Sarkar ...	Malsi . ..	Manikganj ...	Dacca ...	9 months' rigorous imprisonment.	.....	29th August 1910. 19 (*f*), Arms Act.	
234	302, Indian Penal Code.	Haralal Mazumdar	Pitambar Mazumdar	Purapara	Tangibari ...	Do ...	.....	Discharged ...	.....	Date not available.
		Makhan Lal Mukharji ...	Benode Behari Mukharji ...	Do, ...	Do. ...	Do. ...	.....	Ditto ...	.....	Ditto
		Birendra Sen	Mukunda Sen	Sonarang	Do. ...	Do. ..	.....	Ditto ..	.....	Ditto.
235	Ditto ...	Makhan Lal Mukharji ...	Benode Behari Mukharji ...	Purapara	Do ...	Do. ...	..	Ditto ...	.....	Ditto.
		Hara Lal Mazumdar ...	Pitambar Mazumdar ..	Do. .. .	Do. ...	Do. .	.. ...	Ditto ..	.....	Ditto.

238	109, Criminal Procedure Code	Sureswar Banarji ..	Banka Behari Banarji	51, Jhamapukur Lane, Calcutta.				Discharged on the 6th March 1911		
		Upendra Nath Ray Chaudhuri.	Uma Charan Ray Chaudhuri.	Burachili	Keshabpur .	Jessore	..	Discharged on the 31st March 1911.		
		Bebak Bhusan Gupta ...	Guru Bhusan Gupta ...	Balurchar	.....	Murshidabad ...	...	Discharged on the 10th May 1911.	.....	
		Surendra Kumar Ghosh ...	Rajani Mohan Ghosh ...	Dhipur	Tangibari .	Dacca	.....	Discharged on the 19th May 1911.	.....	
		Kali Das Banarji	.....	..	.....	.....	.....	Discharged on the 29th October 1911.	.....	
239	Ditto	Satish Chandra Chakrabartti *alias* Upendra Bhattacharji.	Jagadish Chandra Bhattacharji.	Madhabdi	Rupganj ...	Dacca ...	Bound down fo one year	.....	4th September 1911; 109, Criminal Procedure Code.	
	Ditto	Jogesh Chandra Chaudhuri *alias* Hem Chandra Bhattacharji.	Kali Kumar Bhattacharji	Latabdi	Do. ...	Do. ...	Ditto ditto ..	...	Ditto	
240	147 and 379, Indian Penal Code.	Jogendra Chakrabartti ...	Krishna Mohan Chakrabartti.	Kalipur	Iswarganj	Mymensingh	Convicted	...	10th April 1911; 147 and 379, Indian Penal Code.	
		Phani Bhusan Gupta ...	Harendra Gupta . .	Dulai ...	Nagarkandi .	Faridpur ...	Ditto	..	10th April 1911; 147, Indian Penal Code	
		Digendra Mukhuti ...	Raj Mohan Mukhuti .	Rauthbhog . .	Tangibari .	Dacca	Ditto .	..	Ditto	
		Brajendra Lal Chakrabartti	Kali Kanta Chakrabartti	Brahmangaon	Lohajang ...	Do	Ditto . .		Ditto	
		Amulya Charan Sen ...	Nishi Kanta Sen	Outsshi	Tangibari ..	Do.	Ditto .	.	Ditto	
		Ramesh Charan Acharji ...	Kali Prasanna Acharji ...	Banari . .	Rajbari ...	Do .	Ditto .	..	Ditto	Acquitted on appeal. Result of appeal not forthcoming.
		Priya Nath Acharji .	Kali Charan Acharji .	Do. ..	Do. ...	Do.	Ditto	..	Ditto	
		Satish Chakrabartti .	Sarada Gossai Chakrabartti	Feni	Noakhali ...	Noakhali .	Ditto		Ditto.	
		Jatindra Ray .. .	Parbati Ray	Kushangal . .	Nalchitti ...	Bakarganj	Ditto .		Ditto	
		Krishna Lal Saha .	Mohesh Chandra Saha ..	Tulashar	Paleng ...	Faridpur	Ditto ..	.	Ditto	
		Ram Chandra Chakrabartti	Raj Charan Chakrabartti ..	Paikara .	Netrakona .	Mymensingh	Ditto	..	Ditto	
		Jnanendra Mohan Ghosh	Rajani Kanta Ghosh ...	Dhipur . .	Tangibari	Dacca ..	...	Acquitted		
		Narendra Nath Sen ..	Prabhat Sen .. .	Aminpur .	Baidrabazar ..	Do .	..	Ditto ..	. ...	
		Satish Chandra Das Gupta	Jogesh Chandra Das Gupta	Kamarkhara . .	Tangibari .	Do		Ditto .	....	
241	121 A, Indian Penal Code.	Radhika Bhusan Ray *alias* Makhan Lal.	Girendra Bhusan Ray	Raghunathpur .	Doamrai .	Do .	10 years' rigorous imprisonment by the Sessions Judge, Dacca.		1st April 1912, 121 A Indian Penal Code.	Sentence reduced to 3 years' rigorous imprisonment on appeal.
		Nitai Charan Saha Banikya.	Radha Charan Saha Banika	South Maisandi .	Sutrapur ..	Do. .	10 years' rigorous imprisonment		Ditto	Acquitted on appeal.
		Dhirendra Nath Se ..	Janaki Nath Sen .	Madhyapara	Sersadikhan ..	Do. .	.	Acquitted by the Sessions Judge, Dacca, on 7th August 1911		
		Kshirode Chandra Guha *alias* Hiranmay	Rajani Nath Guha .	Fabdi	Keraniganj ..	Do. ..	10 years' rigorous imprisonment		1st April 1912, 121 A. Indian Penal Code.	Sentence reduced to 3 years' rigorous imprisonment on appeal
		Rajani Kanta Sen Sarkar	Sarup Chandra Sen Sarkar	Hogla ...	Bhelarganj .	Faridpur .	.	Acquitted by the Sessions Judge, Dacca, on 7th August 1911.	..	
		Gopi Ballabh Chakrabartti *alias* Hari Mohan *alias* Rangadada.	Govinda Chandra Chakrabartti (deceased)	Bhadraganj	Kamarkhandi .	Faridpur ..	7 years' rigorous imprisonment by the Sessions Judge Dacca.	..	1st April 1912; 121 A. Indian Penal Code.	Sentence reduced to 2 years' rigorous imprisonment on appeal.

DACCA—*contd.*

Serial No.	Section of Law.	ACCUSED. Name.	Father's name.	Residence. Village.	Thana.	District.	RESULT OF TRIAL. Convicted.	Acquitted or discharged.	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
	[*Vide* serial No. 241]	Nishi Kanta Ray Chaudhuri *alias* Satish Chandra Ghosh.	Basanta Lal Roy Chaudhuri	Ojhur	Gopalganj	Faridpur	10 years' rigorous imprisonment.	..	1st April 1912	Acquitted on appeal.
		Santi Pada Mukharji *alias* Pramatha Nath Mukharji *alias* Achudananda Basak.	Sita Nath Basak	Khandanur	Jhenida	Jessore	Ditto	.....	Ditto	Sentence reduced to 3 years' rigorous imprisonment on appeal
		Hem Chandra Basu	Ganga Prosad Basu	Deobhog	Palong	Faridpur	..	Acquitted by the Sessions Judge, Dacca, on 7th August 1911.	.....	
		Bankim Chandra Ray	Jadab Chandra Ray	Haturia	Mathura	Pabna	10 years rigorous imprisonment by the Sessions Judge, Dacca.	.....	Ditto	Sentence reduced to 5 years' rigorous imprisonment on appeal.
		Guru Dayal Das	Rai Kishor Das	Sreemaya	Baidya Bazar	Dacca	Ditto	...	Ditto	Ditto.
		Nripendra Mohan Sen Gupta *alias* Kumar *alias* Nripendra Nath Gupta.	Bama Charan Gupta	Madhyapara	Serajdikhan	Do.	7 years rigorous imprisonment by the Sessions Judge Dacca.	.	Ditto	Sentence reduced to 2 years' rigorous imprisonment on appeal.
		Sarada Charan Datta Gupta.	Durga Charan Datta Gupta	Malapda	Ditto	Do.	10 years' rigorous imprisonment.	..	.....	Acquitted on appeal.
		Bijay Chandra Raha Ray *alias* Pramode.	Raj Chandra Raha	Salla	Kalihati	Mymensingh	5 years' rigorous imprisonment.	...	.....	Sentence reduced to 2 years' rigorous imprisonment on appeal under section 401, Criminal Procedure Code.
		Surendra Chandra Ray *alias* Kunja Behari Ray.	Kailash Chandra Ray	Jagira Kundu	Keraniganj	Dacca	10 years' rigorous imprisonment	....	.....	Acquitted on appeal.

Nishi Bhusan Mitra *alias* Manik Chandra.	Lalit Mohan Mitra ..	Madyakul . ..	... ..	Jessore .	7 years' rigorous imprisonment by the Sessions Judge Dacca.	...	..	Sentence reduced to 2 years' rigorous imprisonment on appeal on 1st April 1912.
Paresh Chandra Sen Gupta	Govinda Chandra SenGupta	Madhcapara ..	Serazdikhan ...	Dacca .	7 years' rigorous imprisonment by the Sessions Judge Dacca.	..	.. ..	Acquitted on appeal on 1st April 1912.
Akshay Kumar Datta *alias* Lolia.	Nanda Kumar Datta .	Kharkala	Ditto	Do. .	Ditto . ..		..	Ditto.
Jagesh Chandra Routh ...	Rasik Chandra Routh	Mirandha ..	Kedarganj	Do .	10 years rigorous imprisonment by the Sessions Judge, Dacca	..	....	Acquitted on appeal.
Nalini Kishore Guha ...	Radha Kishore Guha (deceased).	Baranagar	Manikganj .	Do	.	Acquitted	.....	
Govinda Chandra Sen Gupta.	....	Madhcapara ..	Serazdikhan	Do.		Acquitted by the Sessions Judge, Dacca, on 7th August 1911.	.. .	
Prapulla Chandra Sen Gupta *alias* Prabhat Chandra Ray.	Mohini Chandra Sen Gupta	Dito	Ditto ..	Do	10 years rigorous imprisonment by the Sessions Judge, Dacca	..	.	Sentence reduced to 2 years' rigorous imprisonment on appeal on 1st April 1912.
Sisir Kanta Sarkar .	Lakshmi Kanta Sarkar	Asulia	Sabhar	Do		Acquitted by the Sessions Judge Dacca, on 7th August 1911		
Asutosh Kumar Ghose ..	Kali Kumar Ghose	Deobhog	Narayanganj	Do.	7 years' rigorous imprisonment		..	Acquitted on appeal.
Jatindra Ray *alias* Benoy	Mohini Chandra Ray	Narayanganj	Narayanganj	Do.	Transportation for life by the Sessions Judge Dacca on 7th August 1911		..	Sentence reduced to 6 years' transportation on appeal, on 1st April 1912
Lalit Mohan Ray	Kali Kumar Ray	Narayanganj .	Narayanganj	Do.	...	Acquitted by the Sessions Judge, Dacca, on 7th August 1911.	.....	

DACCA—*contd.*

Serial No.	Section of Law.	ACCUSED.					RESULT OF TRIAL.			REMARKS.
		Name.	Father's name.	RESIDENCE.			Convicted.	Acquitted or discharged.	Date and section.	
				Village.	Thana.	District.				
1	2	3	4	5	6	7	8	9	10	11
	[*Vide* serial No. 241.]	Bhupati Mohan Sen ...	Kamini Mohan Sen ...	Madhyapara ...	Serajdikhan ...	Dacca ...	10 years' rigorous imprisonment by the Sessions Judge, Dacca, on 7th August 1911.	.....	.....	Sentence reduced to 3 years' rigorous imprisonment on appeal on 1st April 1912.
		Pulin Bihari Das .	Naba Kumar Das	Lonsing	Palong	Faridpur ...	Transportation for life by the Sessions Judge, Dacca, on 7th August 1911.	...	1st April 1912 ; 121 A, Indian Penal Code	Sentence reduced to 7 years' transportation on 1st April 1912.
		Pramode Bihari Das *alias* Shuba.	Ditto	Do.	Do	Do ...	7 years' rigorous imprisonment by the Sessions Judge, Dacca.	.....	Ditto ...	Sentence reduced to 2 years' rigorous imprisonment by Hon'ble High Court.
		Manikya Chandra Guha Mustafi.	Nibaran Chandra Guha Mustafi.	Raishbar	Srinagar ...	Dacca	Ditto ...	.....	.....	Acquitted on appeal on 1st April 1912.
		Dinesh Chandra Guha Mustafi.	Ditto	Do.	Do. ...	Do.	10 years' rigorous imprisonment by the Sessions Judge, Dacca, on 7th August 1911.	... .	... ..	Ditto.
		Sukhendra Kumar Sen Gupta.	Raj Mohan Sen Gupta ...	Madhyapara	Serajdikhan .	Do.	3 years' rigorous imprisonment by the Sessions Judge, Dacca.	... .	.....	Ditto.
		Abani Mohan Ganguli ...	Kailash Ganguli	Adabari	Tangibari ...	Do.	7 years' rigorous imprisonment by the Sessions Judge, Dacca.	... ..	.....	Ditto.

		Jogendra Mohan Das Gupta.	Tara Kanta Das Gupta ...	Kalna	Ditto ..	Do.	....	Acquitted by the Sessions Judge, Dacca, on 7th August 1911.		
		Sachindra Mohan Banarji	Mon Mohan Banarji ..	Panchgaon	Ditto ..	Do.	7 years' rigorous imprisonment by the Sessions Judge, Dacca.	.....		Ditto.
		Karuna Kanta *alias* Radhika Banarji.	Pyari Mohan Banarji ..	Brahmandi	Rupganj	Do. .. .	10 years' rigorous imprisonment by the Sessions Judge, Dacca, on 7th August 1911.	....		Acquitted on appeal by the Hon'ble High Court on 1st April 1912.
		Jadu Nath Das . ..	Kali Nath Das	Garbari Manickdi	Monohardi	Do.	7 years' rigorous imprisonment by the Sessions Judge, Dacca.	..		Acquitted on appeal.
		Benod Bihari Chakrabartti.	Chandra Nath Chakrabartti.	Garbari	Do .	Do .	Ditto ..	....		Ditto.
		Ashutosh Das Gupta ..	Kasiswar Das Gupta ..	Garurgaon ..	Tangibari ...	Do.	Sentenced to transportation for life by the Sessions Judge, Dacca, on 7th August 1911	..		Sentence reduced to years' rigorous imprisonment by the Hon'ble High Court.
242	109, Criminal Procedure Code	Trailakhya Nath Chakrabartti *alias* Kali Charan	Durga Charan Chakrabartti.	Kapasatia	Bantpur .	Mymensingh		Discharged for want of evidence.	....	
243	Ditto .	Jogesh Chandra Datta ..	Ram Kumar Datta ..	Adabari	Tangibari .	Dacca .	Convicted ..	.	25th May 1912.	
244	395, Indian Penal Code	Girindra Mohan Das	Jamini Mohan Das	Sungar	Dhamrai	Do. .	5 years' rigorous imprisonment under section 412, Indian Penal Code.	.		
245	19(*f*) of the Arms Act .	Girindra Mohan Das .	Jamini Mohan Das	Sungar .	Dhamrai	Dacca .	1 year' rigorous imprisonment	.	19(*f*) of the Arms Act.	
		Madan Mohan Bhaumik ..	Kailash Chandra Bhaumik	Dumai .	Keramgan.	Do .	. .	Discharged	. . .	
		Inan Ranjan Das Gupta ...	Akhil Chandra Das Gupta	Basera .	Tangibari	Do		Ditto .. .	. . .	
		Ramesh Chandra Acharji *alias* Kali Das Ray	Kali Prasanna Acharji	Barari	Rajabari .	Do .	..	Ditto .. .	.	

DACCA—*concld.*

Serial No.	Section of Law	ACCUSED. Name.	Father's name	RESIDENCE. Village.	Thana.	District.	RESULT OF TRIAL. Convicted.	Acquitted or discharged.	Date of section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
246	19(*f*) of the Arms Act	Suresh Chandra Ray ...	Bhagaban Chandra Ray ...	Kushumhati ...	Nawabganj ...	Dacca ...	1 year's rigorous imprisonment.	.....	19(*f*) of the Arms Act.	
247	109, Criminal Procedure Code.	Priya Nath Datta ...	Hara Nath Datta ...	Kendua ...	Madaripur ..	Faridpur	Bound down for 1 year with 2 sureties for Rs. 500.	.	4th December 1913; 109, Criminal Procedure Code.	On 30th July 1913, this man was arrested with two suspicious letters. He was also unable to give any satisfactory account. A case under section 399, Indian Penal Code, was at first instituted and dropped, and subsequently the man was prosecuted under the preventive sections.
248	395, Indian Penal Code	Ganga Chandra Datta ..	Dina Bandhu Datta .	Adabari	Tangibari ..	Dacca	2 years' rigorous imprisonment.	.. ...	17th June 1914; 411, Indian Penal Code.	
249	109, Criminal Procedure Code.	Ramesh Chandra Datta Chaudhuri.	Prasanna Kumar Datta Chaudhuri	Nandina .. .	Bantpur	Mymensingh ...	Directed to execute a bond of Rs. 2,000 with 3 sureties of Rs. 1,000 each to be of good behaviour for 1 year, in default 1 year's rigorous imprisonment.	.....	16th January 1914; 109, Criminal Procedure Code.	
		Suresh Chandra Banarji	Kali Kumar Banarji ..	Rahapara	Bhedarganj ..	Faridpur ...	Directed to execute a bond of Rs. 2,000 with 3 sureties of Rs. 1,000 each to be of good behaviour for 1 year, in default 1 year's	... ..	16th January 1914; 109, Criminal Procedure Code.	

251	Ditto ...	Srish Chandra Pal *alias* Rabi *alias* Nibaran.	Sarat Chandra Pal	Mulbaria	Sipagar	Dacca ...	Bound down for 1 year	.....	6th April 1915.	
		Kumud Kumar Mitra *alias* Ram Lal Sarkar.	Balaram Mitra	Konnagar	Konnagar	Hooghly ...	Ditto	.....	Ditto.	
		Jagat Ranjan Gupta *alias* Jatindra Nath Ghosh.	Durgabar Gupta ..	Bhanderkhola ..	Gopalnagar	Jessore	Ditto ..	.....	Ditto.	
		Chuni Lal Mitra *alias* Prabhat Kumar Sen Gupta.	Kali Charan Mitra. ..	Palashbari ..	Muhammadpur	Do	Ditto	.....	Ditto.	
		Jnan Ranjan Sanyal *alias* Hari Chandra Chakrabartti.	Sarat Chandra Sanyal	Krishnagar	Krishnagar	Nadia	Ditto	.. ..	29th March 1915; 109, Criminal Procedure Code.	
		Phanindra Bhusan Mukharji *alias* Sambhu Chatarji.	Hari Pada Mukharji ..	Lanat ..	Serampur	Hooghly	Ditto ..	.....	Ditto.	
		Pangsha Bhusan Chatarji	Debendra Nath Chatarji ..	No. 4, Haldar Lane, Bowbazar, Calcutta		...	Ditto ...	.....	Ditto.	
		Madhu Sudan Bhattacharji	Surja Kanta Bhattacharji	Mailpur ..	Jaynagar	24-Parganas ..	Ditto ...	.....	Ditto	
252	448, 506, 384 and 511, Indian Penal Code	Sarat Chandra Chatarji ...	Kali Prasanna Chatarji ..	Fatehjangpur	Palong	Faridpur	1 year's rigorous imprisonment under section 448 Indian Penal Code; 2 years' rigorous imprisonment under section 506, Indian Penal Code; and 1½ years' rigorous imprisonment under sections 384 and 511, Indian Penal Code. The sentences will run concurrently.	.....	30th March 1915; 448, 506, 384 and 511, Indian Penal Code.	
253	19 (*f*) of the Arms Act	D'Cruz		Manpur	Kaliganj	Dacca ...	1 year's rigorous imprisonment	..	19 (*a*) of the Arms Act	Conviction upheld on appeal.

DINAJPUR.

234	306 Indian Penal Code.	Upendra Narayan Bhattacharjee	Krishna Chandra Nayebagat (deceased).	Dinajpur town	Convicted		8th June 1911; 506 Indian Penal Code	
235	457 and 380, Indian Penal Code.	Debendra Missir *alias* Debsaran Ali *alias* Amek Missir	Chandhari Missir	Homeless	Ditto ..		4th November 1910; 380 and 75, Indian Penal Code.	
	19 (*f*), Arms Act ...	Prabhat Kumar Ray	Hem Prasanna Ray of Kaiyala.	Dinajpur town	Dinajpur-gaol ...		18th November 1910, 19 (*f*), Arms Act	Off-shoot of the above case.

DINAJPUR—*concld.*

Serial No.	Section of Law.	ACCUSED. Name.	Father's name.	Residence. Village.	Thana.	District.	RESULT OF TRIAL. Convicted.	Acquitted or discharged.	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
256	147, 324 and 324—149, Indian Penal Code.	Akshay Kumar Das Gupta	Uma Charan Das Gupta	Kasiani	Kasiani ...	Faridpur ...	Convicted	.....	17th January 1908; 147, Indian Penal Code.	
		Tara Das Ghattak ...	Hari Das Ghattak ...	Dinajpur town .. .	... ...	... ...	Ditto	.....	Ditto.	
		Dakshina Ranjan Basu ...	Gopal Krishna Basu ...	Chourudri	Harirampur ...	Dacca	Ditto	.....	Ditto.	
		Braja Gopal Ray ...	Brajaballav Ray ..	Dinajpur town	... .	... .	.....	Discharged	Ditto.	
		Praphulla Kumar Neogi ...	Mukunda Chandra Neogi	Sahadebpur	Tangail	Mymensingh ...	Convicted	.....	Ditto.	
		Phani Bhusan Mukharji ...	Guru Dayal Mukharji .	Satai	Gokarna ..	Murshidabad ...	.....	Discharged	Ditto.	
		Bhabesh Chandra Ray ...	Umesh Chandra Ray ...	Bailtal	Sahanatpur ..	Pabna	.....	Ditto	Ditto.	
		Sushil Chandra Bhattacharji.	Madhab Chandra Bhattacharji.	Kalukhali	Pangsa	Faridpur ...	.....	Ditto	Ditto.	
		Ram Ranjan Ray ...	Tarak Nath Ray ...	Harinabagbari	Sirajganj .	Pabna	Convicted	... ..	Ditto.	
		Sakha Nath Sil ...	Tilak Chandra Sil ...	Bonogram	Mortelganj ...	Khulna	.....	Discharged	Ditto.	
		Nagendra Nath Ray ...	Gobinda Nath Ray ...	Saidabad . .	Sirajganj ...	Pabna	.....	Ditto	Ditto.	
		Satish Chandra Ray ...	Harish Chandra Ray ...	Dinajpur town ...	... ...	... ...	Convicted	.....	Ditto.	
		Dinesh Chandra Ghattak	Sailash Chandra Ghattak	Ditto	... ...	... ...	.....	Discharged	Ditto.	
		Satish Chandra Das ...	Haladhar Chandra Das ..	Ditto	... ...	... ...	.....	Ditto	Ditto.	
		Satish Chandra Sen ...	Not available ..	.....	.....	.....	.....	Ditto	Ditto.	

FARIDPUR.

257	19 (*f*), Arms Act ...	Ramani Mohan Das Gupta	Mathura Mohan Das Gupta.	Khairbhanga ...	Madaripur ..	Faridpur .	3 months' rigorous imprisonment.	.....	1914; 19 (*f*), Arms Act.	Was sent up in the Faridpur conspiracy case, which was withdrawn on 19th April 1914.
258	506, Indian Penal Code.	Baman Chandra Chakrabartti.	Ram Chandra Chakrabartti.	Madaripur ..	Do. ...	Do. ...	15 months' rigorous imprisonment and also bound down for one year under section 106, Criminal Procedure Code for threatening witnesses in the Faridpur conspiracy case.	.....	16th March 1914; 506, Indian Penal Code.	Was sent up in the Faridpur conspiracy case which was withdrawn on 19th April 1914.
259	109, Criminal Procedure Code.	Dinesh Chandra Banarji ...	Jagat Chandra Banarji ...	Umedpur	Sirajganj ...	Do. ..	Ordered to furnish two sureties of Rs. 250 each, in default one year's rigorous imprisonment.	.....	31st March 1915; 109, Criminal Procedure Code.	
260	465, Indian Penal Code.	Kali Prasad Banarji ...	Bipin Bihari Banarji ...	Khalia	Rajoir ...	Do. ...	6 months' rigorous imprisonment.	.....	31st October 1913 ...	Acquitted on appeal by the High Court.

262	19 (f), Arms Act ...	Kanti Priya Ray Chaudhuri.	Satya Priya Ray Chaudhuri.	Khalia	Rajoir ...	Do. ...	2 years' rigorous imprisonment	.....	30th March 1915; 19 (f) Arms Act.	the High Cou

HOWRAH.

263	19 (f), Arms Act ...	Narendra Nath Banarji ...	Ram Das Banarji (deceased)	Khetra Banarji's Lane	Sibpur, Howrah		Convicted	.....	26th September 1913, 19 (f), Arms Act.	

JALPAIGURI.

264	186-225, Indian Penal Code.	Chandi Das Chakrabartti	Mahim Chakrabartti .	Chakmirpur	Gho ..	Da .. .	Convicted	...	Date not known. Most probably 1906 186, Indian Penal Code.	As the case ended in conviction under section 186, Indian Penal Code, the name of the accused was not entered in police registers. The record of the case has been destroyed long ago.
		Durga Das Chakrabartti ...	Ditto ...	Ditto . .	Do	Do . .	..	Discharged .	.	

KHULNA.

265	108, Criminal Procedure Code.	Ainuddi Mollah	Kazim Sheikh	Bansbaria	Khalispara	Faridpur ...	Convicted	...	16th June 1915.	
	Ditto	Kadir Bepari . .	Jamaluddi Shaikh ..	Sibpur .	Mahabar ..	Khulna ...	Ditto .	..	Ditto.	

MALDA.

Serial No.	Section of Law.	ACCUSED. Name.	Father's name	RESIDENCE. Village.	Thana.	District.	RESULT OF TRIAL. Convicted.	Acquitted or discharged.	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
266	395, Indian Penal Code	Bireswar Das ..	Ganesh Chandra Das ...	Makdampur .	English bazar ...	Malda ..	....	Discharged .	27th August 1909, 494, Criminal Procedure Code.	Case withdrawn by prosecution.
267	124A, Indian Penal Code.	Surendra Narayan Adhikari *alias* Surendra Nath Das.	Joydeb Das	Abhirampur or Makdampur.	Ditto ...	Do. ...	2 years' rigorous imprisonment.	....	5th December 1910; 124A, Indian Penal Code.	He has changed his residence from Malda to Rajmahal

MURSHIDABAD.

268	109, Criminal Procedure Code.	Jogendra Narayan Ray Sarkar.	Kamini Kumar Ray Sarkar	Joypara ...	Nawabganj	Dacca ..	..	Discharged by the Subdivisional Officer, Berhampur.	12th May 1915, 119, Criminal Procedure Code.	At present residing with Mohonbansi Ba, pleader Munsiff's Court, Bangsi Bazar, Dacca.

MYMENSINGH.

269	143, 144, 145, 148, 149, 324 and 353, Indian	Megh Nath Das ..	Janaki Nath Das	Kola ..	Sri ...	...				

	Ditto ...	Har Kishor Ray *alias* Dhar.	Ram Gopal Dhar ..	Satrapur .	Kotwali	Ditto	Ditto	..	Ditto	
	Ditto ...	Surendra Chandra Chaudhuri.	.....	.. ...	. ...	. ...	Ditto ...	.....	Ditto.	
	Ditto ...	Lalit Chandra De ...	.....	..	.....	. ..	Fined Rs. 100	. ...	Ditto	
	Ditto ..	Kula Chandra De ..	Krista Doyal De ...	Seobara .. .	Kotwali ...	Mymensingh ...	Fined Rs. 300, and 15 days' rigorous imprisonment.	.....	Ditto.	
	Ditto ..	Pyari Dhar ..	..	..	. .	.	Ditto ...	...	Ditto	
	Ditto ...	Suresh Chandra Guha ..	Purna Chandra Guha ...	Mymensingh town ..	Kotwali	Mymensingh .	Ditto	.. ...	Ditto	
270	32 of Act V of 1861 ...	Kedar Nath Chakrabartti	Dwarika Nath Chakrabartti.	Asakpur	Tangail	Ditto ..	Fined Rs. 30	...	11th June 1906, 32 of Act V of 1861.	For conducting a procession without a license and singing national songs.
271	147, 356 and 426, Indian Penal Code.	Praphulla Chandra Mukharji.	Prabhat Chandra Mukharji	Rakoil, at present Itna	Balla	Ditto ...	2 months' rigorous imprisonment and fined Rs. 50	. ...	27th March 1907, 147, 356 and 426, Indian Penal Code.	
272	148, 326 and 353, Indian Penal Code.	Hem Chandra Datta .	Iswar Chandra Datta .	Sarajdhar	Bampur	Ditto .	.	Acquitted ..	27th April 1908, 147 Indian Penal Code	
		Narendra Nath Guha	Durga Charan Guha .	Dhenabari ...	Bhanga .	Faridpur		Ditto .	Ditto.	
		Adhar Chandra Gope .	Rai Chandra Gope (deceased).	Madgaon ..	Srinagar .	Dacca		Ditto . ..	Ditto.	
273	379 and 511, Indian Penal Code.	Praphulla Chandra Mukharji.	Prabhat Chandra Mukharji	Rakoil at present Itna	Balla .	Mymensingh	1 month's rigorous imprisonment		21st March 1910, 379 and 511, Indian Penal Code	
274	398, Indian Penal Code	Man Mohan Barman .	Hara Nath Barman ..	Sindlkandi	Bajitpur .	Ditto	.	Discharged	20th March 1909, 398 Indian Penal Code.	*Nolle prosequi.*
275	Ditto ...	Benari Barman	Gagan Barman	Ditto	Do .	Ditto .	.	Ditto .	Ditto	Ditto.
276	108, Criminal Procedure Code.	Anath Bandhu Guha ..	Mrityunjay Guha .	Berta	Bagbati .	Ditto ..	Ordered to execute bond for one year.		108, Criminal Procedure Code	Record destroyed
277	401, Indian Penal Code.	Debi Das Ray	Durga Das Ray ..	Kurthasa	Tangail ..	Ditto .	...	Acquitted	4th August 1910, 401, Indian Penal Code.	
		Bhola *alias* Amrita Bhattacharji	Janaki Nath Bhattacharji	Ditto	Do .	Ditto .	Committed to the sessions court.	.	Ditto	Acquitted on appeal.
		Bijay *alias* Hemanta Kumar De.	Charu Dattri	Ditto	Do	Ditto	Ditto ...	..	Ditto ...	Ditto
		Priya Sankar Sen Gupta ..	Ram Sankar Sen Gupta ..	Kalihati .. .	Kalihati	Ditto	...	Discharged .	Ditto ..	He remained an absconder and the case against him was withdrawn.

MYMENSINGH—*concld.*

Serial No.	Section of Law.	ACCUSED.					RESULT OF TRIAL.			REMARKS.
		Name.	Father's name.	RESIDENCE.			Convicted.	Acquitted or discharged.	Date and section.	
				Village.	Thana.	District.				
1	2	3	4	5	6	7	8	9	10	11
278	09, Criminal Procedure Code.	Amrita Narayan Chakrabartti.	Chandi Charan Chakrabartti.	Mymensingh town ...	Kotwali ...	Mymensingh ...	Ordered to execute a bond of Rs. 2,000 with two sureties for the same amount.	...	24th May 1909; 109, Criminal Procedure Code	
279	19 (*f*), Arms Act ...	Surendra Mohan Ghosh ...	Kamini Mohan Ghosh ...	Kharua; at present Kazigram.	Trisal ...	Ditto ...	1 year's rigorous imprisonment.	.....	23rd March 1911; 19(*f*), Arms Act.	
280	109, Criminal Procedure Code.	Upendra Kishor Dhar *alias* Ray.	Bhabani Kishor Ray ...	Chapai	Nandail ...	Ditto ..	Ditto ...	...	25th May 1911; 109, Criminal Procedure Code.	
		Kedar Nath Guha ...	Ishan Chandra Guha ...	Galzhanda	Ghatai ..	Ditto ...	Ditto ...	.....	Ditto.	
281	Ditto ...	Rabindra Mohan Sen Gupta *alias* Harish Chandra Ghosh.	Prasanna Kumar Sen ...	Churain, Bajrajogini ...	Munshiganj ...	Dacca ...	1 year's rigorous imprisonment in default of two sureties of Rs. 500 each.	.....	13th July 1911; 109, Criminal Procedure Code	
		Jogendra Mohan Chakrabartti *alias* Harendra Jiban Ghosh.	Krishna Mohan Chakrabartti.	Diara; at present Kalipur	Iswarganj ...	Mymensingh ...	Ditto ...	.....	Ditto.	
		Ramesh Chandra Acharji	Kali Prasanna Acharji ...	Banori	Rajabari ...	Dacca ...	Ditto ...	.....	Ditto.	
282	19 (*f*), Arms Act ...	Hemendra Kishor Acharji Chaudhuri.	Debendra Kishor Acharji Chaudhuri.	Muktagacha ...	Muktagacha ...	Mymensingh ...	Fined Rs. 15 ...	.....	25th August 1911; 19(*f*), Arms Act.	
283	395, Indian Penal Code.	Jitendra Kanta Lahiri ...	Abani Kanta Lahiri ...	Kalipur	Iswarganj ..	Ditto ..	5 years' rigorous imprisonment.	.....	23rd September 1911; 395, Indian Penal Code.	

									sureties of Rs. 500 each for one year.		Code
		Shishir Kumar Ghosh ...	.....	Calcutta town ...				Ordered to execute a bond of Rs. 500 with two sureties of Rs. 250 each for one year.	.....	Ditto.	
		Narendra Nath Basu ...	.....	Ditto ...				Ditto ...	.....	Ditto.	
		Indra Nath Nandi ...	S. C. Nandi ...	18, Mirzapur Street, Calcutta				Ditto ...	.....	Ditto.	
		Bepin Behari Gangali ...	Akshay Gangali	4, Durga Charan Pitburi's Lane, Calcutta ..				Ditto ...	.....	Ditto.	
		Prakash Datta ...	Jagat Datta	Jamalpur town .	Jamalpur ...	Mymensingh ...		Ditto ...	.....	Ditto.	
384	307 and 326, Indian Penal Code	Surendra Mohan Ray ...	Rajmohan Ray (deceased)	Nabagram	Dhamrai ...	Dacca ...		.....	Acquitted from Sessions Court.	326, Indian Penal Code.	
387	147, Indian Penal Code.	Ditto ...	Ditto	Ditto	Do. ...	Do. ..		.....	Discharged	.....	
		Nalini Dhar Ghosh *alias* Pochu.	Sashadhar Ghosh	Mymensingh town ..	Kotwali ..	Mymensingh ...		.....	.....	.....	Case withdrawn. Bound down under section 107 Criminal Procedure Code.
		Phanindra Kishor Acharu	Debendra Kumar Achari (deceased)	Kaisipur	Do. ..	Ditto ...		. ...	Acquitted	.....	
		Abinash Ghosh ...	Abhoy Charan Ghosh	Nutun Bazar . .	Do. .	Ditto ...		.. .	.....	...	Case withdrawn. Bound down under section 107, Criminal Procedure Code.
		Jagendra Bhattacharji	Braja Sundar Bhattacharji	Sukari .. .	Barhatta ..	Ditto .		...	...	....	Ditto.
		Dinesh Chandra Ghosh ...	Shasi Kumar Ghosh (deceased)	Nutun Bazar	Kotwali ..	Ditto ...		.....	.....	.	Ditto.
		Sudhangsu Bhusan Sen ..	Ram Narayan Sen (deceased).	Kalihati .	Kalihati ...	Ditto ...		.....	.....	...	Ditto.
		Atul Behari Pal .	Chandra Kisor Pal .	Gangnarpur town ...	Kotwali	Ditto ...		. ..	....	.....	Ditto.
		Satish Chandra Chanda ..	Uma Charan Chanda	Meghi Mandal ..	Lohajang ..	Dacca		... .	. ...	.....	Ditto.
		Indu Nibaran Basu .	Chandra Kumar Basu ...	Mymensingh town .	Kotwali ...	Mymensingh .		.....	.....	. ...	Ditto.
		Suresh Chandra Basu *alias* Laddu.	Pran Nath Basu (deceased)	Tegaria	Keraniganj ..	Dacca ...		.....	.....	.....	Ditto
		Mohini Mohan Ghosh ..	Lal Mohan Ghosh (deceased)	Kotwali town	Kotwali ...	Mymensingh ...			.....	.....	Ditto.

MYMENSINGH—*concld.*

Serial No.	Section of Law.	ACCUSED.					RESULT OF TRIAL.			REMARKS.
		Name.	Father's name.	RESIDENCE.			Convicted.	Acquitted or discharged.	Date and section.	
				Village	Thana.	District.				
1	2	3	4	5	6	7	8	9	10	11
288	395, Indian Penal Code	Girindra *alias* Akhileswar Bhattacharji.	Prasanna Chandra Bhattacharji (deceased).	Nalta	Palong .	Faridpur ...	.....	Acquitted	.....	

NADIA.

289	109, Criminal Procedure Code.	Ghaneshyam Chakrabartti	Purna Chandra Chakrabartti.	Narpatipara ..	Chakdaha .	Nadia ..	Ordered to execute a bond of Rs. 100, with two sureties of Rs. 100 each, to be of good behaviour for 1 year, in default 1 year's rigorous imprisonment	11th February 1910; 109, Criminal Procedure Code.	
290	Ditto ...	Anath Bandhu Mazumdar	Hari Mohan Mazumdar ..	Akultala ...	Tangail .	Mymensingh .	Ordered to execute a bond of Rs. 100, with two sureties, to be of good behaviour for 6 months' in default 6 months' rigorous imprisonment.	4th January 1911; 109, Criminal Procedure Code.	
291	Ditto ...	Ashutosh Sen . ..	....	Santipur	Santipur .	Nadia	Ordered to execute a bond of Rs. 100, with two sureties of Rs. 100, to be of good behaviour for 1 year, in default 1 year's rigorous imprisonment.	26th January 1912; 109, Criminal Procedure Code	
292	Ditto ...	Nirsnha Prasad Barman *alias* Sarat Chandra Banarji..	Hira Lal Barman ...	Kalna Chak	Kalna	Burdwan ..	1 year's rigorous imprisonment under section 109, Criminal Procedure Code.	23rd July 1912; 109, Criminal Procedure Code.	
293	Ditto ...	Hem Chandra Sen Gupta *alias* Indra Daman Sen Gupta *alias* Abdulla.	Tara Nath Sen Gupta .	Billati	Srinagar ..	Dacca .	Ordered to execute a bond of Rs. 500, with two sureties of Rs. 250 each, to be of good behaviour for 1 year, in default 1 year's rigorous imprisonment.	4th April 1912; 109, Criminal Procedure Code.	
294	Ditto ...	Nagendra Nath Biswas ...	Hari Lal Biswas	Sendram	Bongong	Jessore	[illegible]		

								[illegible] year, in default 1 year's rigorous imprisonment.	[illegible]	
298	Ditto ...	Debendra Nath Chakrabarti *alias* Aswini Kumar Sanku Banik.	Mohini Mohan Chakrabartti.	Modhupur	Modhushahi ..	Faridpur .	Ordered to execute a bond of Rs. 100, with two sureties of Rs. 100 each to be of good behaviour for 1 year, in default 1 year's rigorous imprisonment.	1st September 1913; 109, Criminal Procedure Code		
299	397, Indian Penal Code	... ...	. .		. .	. .	... ..	... ...	Case pending with the police.	

PABNA.

3 0	124A and 153A, Indian Penal Code.	Jogendra Nath Mallik	Gobinda Das Mallik	Kalbarik ola	. . Santhia	.. . Pabna		Acquitted	25th August 1911, 258, Criminal Procedure Code	
30.	124A, Indian Penal Code.	Satish Chandra Sanyal	Satis Chandra Sanyal	Asonga	Do	Do	Convicted	.	4th December 1911 124A Indian Penal Code	Acquitted by the Hon'ble High Court on the 1st April 1912.

RAJSHAHI.

302	109, Criminal Procedure Code.	Girish Chandra Das	Kisori Chandra Das	Jatrapur	Kurigram	Rangpur	Ordered to execute a bond of Rs. [illegible] in default 1 year's rigorous imprisonment.	21st December 1911 109, Criminal Procedure Code	He was found singing national songs at the conference held in the house of Babu Sarada Charan Mazumdar of Nagram. He made different statements as to his identity. Was a volunteer of Kurigram National School. Services were offered and accepted.
303	19 (f), Arms Act	Bhupendra Narayan Das Chaudhuri.	Sasi Narayan Ray Chaudhuri	Bonarpara	Rangpur	Rangpur	3 months rigorous imprisonment.	[illegible] Arms Act	
304	19 (f) and 20, Arms Act.	Bibu Kumar Chakrabarti	Bishnu Charan Chakrabarti	Rangpur	Do	Do	2 years rigorous imprisonment.	1st March 1910, 19 (f) and 20 Arms Act.	
304	109, Criminal Procedure Code.	Satish Chandra Sarkar .	Gouranga Chandra Sarkar (deceased)	Asamjorah	Charmohar	Pabna .	Ordered to execute a bond of Rs. 500, with two sureties for 1 year.	2nd September 1911; 109 Criminal Procedure Code	The order was set aside by the Hon'ble High Court.
					Present residence				
				Natore	. Natore	Rajshahi			

RAJSHAHI—*concld.*

Serial No.	Section of Law.	Accused: Name.	Accused: Father's name.	Residence: Village.	Residence: Thana.	Residence: District.	Result of trial: Convicted.	Result of trial: Acquitted or discharged.	Result of trial: Date and section.	Remarks.
1	2	3	4	5	6	7	8	9	10	11
306	109, Criminal Procedure Code.	Prabodh Chandra Bhattacharji.	Srish Chandra Bhattacharji.	Bandebpur	Nator	Rajshahi ...	Ordered to furnish personal security of Rs. 4,000, and two sureties of the same amount, to be of good behaviour for 1 year, in default 1 year's rigorous imprisonment.	.....	19th June 1915; 109, Criminal Procedure Code.	Off-shoot of Dharail dacoity case.
		Kumud Nath Bhattacharji.	Lakhan Chandra Bhattacharji.	Dhopadaha	Sauthia ...	Pabna	Ditto ...	.....	Ditto.	
		Siva Prasad Bhaduri ...	Madhu Sudan Bhaduri ...	Kushmail	Dhulbari ...	Mymensingh ..	Ditto ...	.....	Ditto.	
		Lalit Mohan Maitra ...	Barada Gobind Maitra ..	Damukdia	Daulatpur ...	Nadia .. .	Ditto ...	.....	Ditto.	
		Kshetra Nath Singha ...	Harish Chandra Singha ..	Mukundi	Chandpur ...	Tippera ...	Ditto ..	.....	Ditto.	
		Debendra Nath Das ...	Sashi Mohan Das ..	Gobtla	Tulsibatta ..	Malda	Ditto ...	.....	Ditto	

RANGPUR.

Serial No.	Section of Law.	Accused: Name.	Accused: Father's name.	Residence: Village.	Residence: Thana.	Residence: District.	Result of trial: Convicted.	Result of trial: Acquitted or discharged.	Result of trial: Date and section.	Remarks.
307	124A and 153A, Indian Penal Code.	Jay Chandra Sarkar ...	Jagat Chandra Sarkar ...	Rampur Boalia	Rampur Boalia	Rajshahi ...	6 months' rigorous imprisonment under each section. Sentences to run consecutively.	.....	23rd December 1907; 124A and 153A, Indian Penal Code.	
		Pratap Chandra Mazumdar.	Gour Chandra Mazumdar	Gobindpur	Nawabganj ...	Dacca ...	.....	Discharged ...	23rd December 1907; 494, Criminal Procedure Code.	
308	143, 186, 188 and 189, Indian Penal Code.	Srish Chandra Gupta ...	Mahim Chandra Gupta ...	Nawabganj	Kotwali ...	Rangpur ...	1 month's rigorous imprisonment under each section. Sentences to run concurrently.	.....	9th December 1907; 143, 186 and 341, Indian Penal Code.	
		Bhuban Chandra Datta ..	Hulow Ram Datta	Brahmanpukuri	Salang ...	Sibsagar ...	Ditto ...	.. ...	Ditto.	
		Jatindra Nath Das *alias* Kali Pada Sen Gupta.	Ram Chandra Das ...	Nawabganj	Kotwali ..	Rangpur ...	3 weeks' rigorous imprisonment under each section. Sentences to run concurrently.	.....	Ditto.	

	Act V of 1861.							imprisonment.				
		Srish Chandra Gupta ...	Ditto ...	Ditto	Do. ...	Ditto ...	Ditto ...	.....	Ditto.			
		Atul Chandra Gupta ...	Umesh Chandra Gupta ...	Ditto	Do. ...	Ditto ...	Fined Rs. 100, in default 30 days' simple imprisonment.	.....	Ditto			
		Priya Nath Gupta ...	.....	.....	....	. ...	Fined Rs. 5, in default 3 days' simple imprisonment.	.....	Ditto.			
		Kshitish Chandra Das Gupta.	.....	.... .	.....	.... .	Fined Rs 100, in default 30 days simple imprisonment	. .	Ditto			
		Banka Bihari Gupta ...	... ..	.. ...	.....	. . .	Ditto ...	... .	Ditto.			
		Nalini Kanta Sarkar ...	...	.... .	. ..	. ..	Fined Rs 20, in default 10 days' simple imprisonment.	...	Ditto.			
		Ananda Chandra Gupta ...	...	.	. ..	...	Fined Rs. 50, in default 20 days' simple imprisonment.	..	Ditto			
		Tara Pada Sen Gupta	...	...	...	..	Fined Rs. 25, in default 15 days' simple imprisonment.	.	Ditto.			
		Monish Chandra Ray .	Kedada Nanda Ray *alias* Gani Chandra Ray.	Arkandi .. .	Barisal	Faridpur	Ditto .	.	Ditto			
		Surendra Prasad Sen Gupta.		.	.		Fined Rs. 15 in default 10 days simple imprisonment	.	Ditto			
		Sita Nath Sen Gupta		..			Fined Rs. 25 in default 10 days' simple imprisonment		Ditto			
		Jotish Chandra Ray			.	.	Fined Rs. 25, in default 15 days simple imprisonment.	..	Ditto			
		Khagendra Chandra Dasgupta	.				...	Acquitted ...	17th November 1907; 245, Criminal Procedure Code			
		Abinash Chandra Sen Gupta.	.	...	.		...	Ditto ..	Ditto			
310	399 and 402, Indian Penal Code.	Ishwar Chandra Chakrabarti.	Ram Nath Chakrabarti .	(Kishoreganj (Nawabganj	Mymensingh (Kotali) .	Rangpur	..	Discharged	8th October 1908; 494, Criminal Procedure Code	Case withdrawn.		

Serial No.	Section of Law.	ACCUSED. Name.	Father's name.	RESIDENCE. Village.	Thana.	District.	RESULT OF TRIAL. Convicted.	Acquitted or discharged.	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
	399 and 402, Indian Penal Code.	Praphulla Chandra Chakrabartti.	Ishan Chandra Chakrabartti.	Kursha	Mahiganj	Rangpur		Discharged	8th October 1908; 494, Criminal Procedure Code.	
	Ditto	Ashutosh Mazumdar	Harish Chandra Mazumdar	Vaghingram	Nakasupara	Nadia		Ditto	Ditto.	
	Ditto	Mahindra Lal Lahiri *alias* Manindra *alias* Mani Lal	Durga Das Lahiri	Nawabganj	Kotwali	Rangpur		Ditto	Ditto	
1	302 and 109 Indian Penal Code.	Nishi Bhusan Ganguli	Hara Kumar Ganguli	Barsat and Atta	Kotwali Sarupkati	Bakarganj		Ditto	8th March 1909; 209 Criminal Procedure Code.	
		Manik Chandra Banarji	Srish Chandra Banarji	Nilphamari	Nilphamari	Rangpur		Ditto	Ditto	
		Kali Pada Datta	Hari Pada Datta	Jotkar		Bardwan		Ditto	Ditto.	
		Hari Pada Ghosh	Chandra Kumar Ghosh	Nilphamari	Nilphamari	Rangpur		Ditto	Ditto.	
		Khitendra Nath Sen	Manan Chandra Sen Kabiraj.	Kumarpur	Palong	Faridpur		Ditto	Ditto	
		Mati Lall Datta						Ditto	Ditto	
312	110, Criminal Procedure Code.	Nishi Kanta Ganguli *alias* Nishi Bhusan Ganguli	Hara K. Ganguli	Atta	Sarupkati	Bakarganj		Ditto	15th November 1909, 119, Criminal Procedure Code.	
		Manik Chandra Banarji	Srish Chandra Banarji	Kalamodi	Bhanga	Faridpur		Ditto	Ditto.	
		Kali Pada Datta	Hari Das Datta	Dimla	Dimla	Rangpur		Ditto	Ditto	

		Satyendra Nath Bhattacharji.	Brajo Kumar Bhattacharji	Nilphamari	Nilphamari	Do.	Bound down for 3 years and ordered to execute a bond for Rs. 200 with two sureties in default 3 years' rigorous imprisonment.		15th December 1909, 110, Criminal Procedure Code.
313	124 A and 153 A, Indian Penal Code.	Jay Chandra Sarkar	Jagat Chandra Sarkar	Rampur Boalia	Rampur Boalia	Rajshahi	9 years' rigorous imprisonment under section 124 A and 1 year's rigorous imprisonment under section 153 A. In all 3 years. Sentences to run consecutively		26th May 1910; 124A and 153 A Indian Penal Code
314	Ditto	Surendra Prasad Lahiri					6 months rigorous imprisonment under section 124 A and 6 months' rigorous imprisonment under section 153 A In all one year		Ditto.
375	153 A, Indian Penal Code.	Braja Nath Basak						Discharged	21st March 1910 283, Criminal Procedure Code
		Sasadhar Mohan Das						Ditto	Ditto
316		Bhuban Mohan Sen Gupta	Isan Chandra Sen Gupta	Lakhai	Bagerhat	Khulna	Imprisonment		18th June 1909 153 A, Indian Penal Code.
317	109 Criminal Procedure Code	Sasadhar Kar	Rai Chandra Kar	Pandaria	Sautbia	Pabna	Bound down for 3 years and ordered to execute a bond for Rs. 200 with two sureties for the like amount, in default 1 year's rigorous imprisonment		17th April 1910 109, Criminal Procedure Code.
18	302, 307 and 120 B Indian Penal Code	Pina Nath Chakrabarti	Janaki Nath Chakrabarti	Bhuna	Tangail	Mymensingh		Discharged	24th April 1910 494 Criminal Procedure Code
		Sasadhar Ka	Rai Chandra Kar	Pandaria	Sautbia	Pabna		Ditto	Ditto.

TIPPERA.

Serial No.	Section of Law.	ACCUSED.					RESULT OF TRIAL.			REMARKS.
		Name.	Father's name.	RESIDENCE.			Convicted.	Acquitted or discharged.	Date and section.	
				Village.	Thana.	District.				
1	2	3	4	5	6	7	8	9	10	11
319	107, Criminal Procedure Code.	Haladhar Das	Chandra Mohan Das ...	Darora	Muradnagar ...	Tippera ...	Bound down	.....	16th July 1907; 107, Criminal Procedure Code.	
		Surendra Chandra Das ...	Sarup Chandra Das ...	Do.	Ditto ...	Do. ...	Ditto	.....	Ditto.	
		Sashi Mohan Ray ...	Krishna Lochan Ray ...	Rahimpur	Ditto ...	Do. ...	Ditto	.....	Ditto.	
		Surendra Chandra Deb ...	Nil Kamal Deb ...	Lakshipur	Ditto ...	Do. ...	Ditto	.....	Ditto.	
320	347, Indian Penal Code	Gopi Mohan Ray Chaudhuri.	Gobardhan Ray Chaudhuri.	Haripur	Nasirnagar ...	Do. ...	Convicted	.. ...	17th April 1907; 347, Indian Penal Code.	Acquitted on appeal on 6th May 1907.
		Chandra Kumar Ray Chaudhuri.	Golak Chandra Ray Chaudhuri.	Adhair	Madhabpur ..	Sylhet ...	Ditto	.....	Ditto ...	Ditto.
321	107, Criminal Procedure Code.	Basanta Kumar Mazumdar	Ishan Chandra Mazumdar	Kashinagar	Chandigram ..	Tippera ...	.....	Discharged	In September 1907 (date not known); 107, Criminal Procedure Code.	
322	302, Indian Penal Code	Nibaran Chandra Ray ...	Jay Chandra Ray	Syam gram	Nabinagar ...	Do ..	Convicted	.. ...	In 1907 (date not known); 302, Indian Penal Code.	Known as "Comilla town shooting case" Nibaran Ray and Mangal Singh died some tim ago. All the three were acquitted by the High Court.
		Mangal Singh ...	Purnadhar Thakur ...	Agartala	Agartala ...	Hill Tippera ...	Ditto	.....	Ditto.	
		Dwarika Nath De .	Ram Raja De	Anirabai	Dandkandi ...	Tippera ...	Ditto	.....	Ditto.	
323	107, Criminal Procedure Code.	Gobinda Mohan Nag ...	Radha Mohan Nag ...	Shabanpur	Brahmanbaria ..	Do. ..	Bound down	.....	27th March 1908; 107, Criminal Procedure Code.	

		Bartti. Atul Chandra De	Bartti. Ramjoy De	Ditto	Ditto	Do.	Ditto	.....	Ditto.	
326	107, Criminal Procedure Code.	Ram Dayal Banikya	Ramgati Poddar	Thakakandi	Nabinagar	Do.	Bound down	.....	21st February 1908; 107, Criminal Procedure Code.	
		Ram Durlav Banikya	Ditto	Ditto	Ditto	Do.	...	Discharged	Ditto.	
		Dina Nath Banikya	Bhola Nath Poddar	Ditto	Ditto	Do.	...	Ditto	Ditto.	
		Joy Kumar Kabiraj	Radhu Chakrabartti	Ditto	Ditto	Do.	Bound down	.....	Ditto.	
		Krishna Chandra Shaha	Kishor Shaha	Ditto	Ditto	Do.	Ditto	.....	Ditto.	
		Chandra Kumar Deb	Not known	Ditto	Ditto	Do.	Ditto	.....	Ditto	Died some time ago.
327	19 (e), Arms Act	Padma Lochan Chakrabartti	Rabi Lochan Chakrabartti	Ibrahimpur	Ditto	Do.	Convicted	.....	28th September 1908; 19 (e), Arms Act.	
		Mahendra Chandra Das	Gopal Das	Ditto	Ditto	Do.	Ditto	.....	Ditto.	
328	Ditto	Prabhu'la Kumar Ray	Jageswar Ray	[illegible]	Ditto	Do.	Ditto		16th May 1908, 19 (e), Arms Act.	
		Jogesh Chandra Ray	Joy Kishor Ray	Ditto	Ditto	Do.	Ditto	.....	Ditto.	
329	108, Criminal Procedure Code.	Har Dayal Nag	Gopi Dayal Nag	Kasimpur	Matlab	Do.	...	Discharged in 1908	.....	Proceedings dropped as the accused tendered an apology.
		Aswini Kumar Chakrabartti	Kali Kumar Chakrabartti	Begun	Lohajang	Dacca		Ditto	.....	Ditto.
		Prabhu'la Kumar Das Gupta	Hari Charan Das Gupta	Jaskhoro	Tungibari	Do.		Ditto	.....	Ditto.
		Jnanada Kumar Guha	Ram Kanai Guha	Fatkhura	Faridganj	Tippera		Ditto	.....	Ditto.
330	147 and 353, Indian Penal Code.	Dinesh Chandra Bardhan	Ramani Kanta Bardhan	Begumganj	Nabinagar	Do.	Convicted	.....	1st May 1908; 147 Indian Penal Code.	
		Sureshi Chandra Mukherji	Nabin Kanta Mukherji	Fatkhar	Gosairhat	Faridpur	Ditto	.....	Ditto	This case is known as the "National Volunteer rioting case."
		Harendra Kumar Nag	Kali Kumar Nag	Kasimpur	Matlab	Tippera	Ditto	.....	Ditto.	
		Govinda Kumar Basu	Dinesh Chandra Basu	Sarpara	Ramganj	Noakhali	Ditto	.....	Ditto	
		Jagadish Chandra Sen	Kali Prasanna Sen	Gangara	Lohajang	Dacca	Ditto	.....	Ditto.	
		Jnanada Charan Chanda	Sasi Bhushan Chanda	Jaskhoro	Chandpur	Tippera		Acquitted	Ditto.	
		Paresh Chandra Sen	Kali Charan Sen	Gotshar	Tungibari	Dacca	Convicted	.....	Ditto.	

TIPPERA—*concld.*

Section of Law.	ACCUSED.					RESULT OF TRIAL.			REMARKS.
	Name.	Father's name.	RESIDENCE.			Convicted.	Acquitted or discharged.	Date and section.	
			Village.	Thana.	District.				
2	3	4	5	6	7	8	9	10	11
143, Indian Penal Code	Lareh Chandra Ser ...	Kali Charan Sen	Ontsai ..	Tangibari	Dacca ...	Convicted ..	..	7th January 1908 : 143 and 323, Indian Penal Code.	This case is different from the case noted above against this accused.
109, Criminal Procedure Code.	Dinesh Chandra Guha ...	Nibaran Chandra Guha	Sonagar ..	Sonagar	Do.	Bound down	.	16th February 1910; 109, Criminal Procedure Code	
124(A), Indian Penal Code.	Kali Kanai Datta .	Ramgati Datta	Sultanpur	Brahmanbaria	Tippera	Convicted		11th January 1909 : 124(A), Indian Penal Code	
	Jitendra Lal Datta ...	Kali Kanai Datta ...	Ditto	Ditto	Do. .	Ditto		Ditto.	
426, Indian Penal Code	Kumud Chandra Pal	Biswa Nath Pal .	Dhanumpur .	Nabinagar	Do. .		Discharged in 190	Date not known.	
	Dinabandhu Chakrabartti	Krishna Kumar Chakrabartti.	Ditto	Ditto .	Do.		Ditto	Ditto	
109, Criminal Procedure Code.	Suresh Chandra Sen ...	Girish Chandra Sen	Okunta	Sadar	Do.	Bound down	.	28th July 1913 : 109 Criminal Procedure Code.	
	Nabadwip Chandra Pal	Chandra Nath Pal	Shabagpur .	Brahmanbaria	Do.	.	Discharged	Ditto	
	Bhuban Mohan Chatarji	Hari Mohan Chatarji ..	Lonesing	Paloing	Faridpur		Ditto .	Ditto	
	Suresh Chandra Mitra ...	Jay Chandra Mitra	Juradi	Monsingani	Dacca		Ditto	Ditto.	
399 and 402, Indian Penal Code.	Kala Chand Ray .	Jagat Chandra Ray .	Sonadia ..	Ramgan	Noakhali	7 years rigorous imprisonment		12th March 1913 : 402, Indian Penal Code.	
	Kumud Bandhu Nag ...	Chandra Kumar Nag ...	Fulbaria	Brahmanberia	Tippera	Ditto	.....	Ditto.	
	Prasanna Kumar Ray ...	Baridabon Chandra Ray	Barkanta ...	Muradnagar	Do.	Ditto	.....	Ditto.	
	Nayan Ranjan Basu ...	Janaki Nath Basu ..	Barulkhali	Nababganj	Dacca .	Ditto	....	Ditto.	
	Brajendra Lal Chakrabartti *alias* Sarbari Kanta Chakrabartti.	Kali Kanta Chakrabartti	Brahmangaon ...	Lohajang	D	Ditto .		Ditto	
	Aditya Chandra Datta ..	Ananda Chandra Datta ...	Barura ...	Rupganj .	Do. .	Ditto ...		...	
	Hari Charan Sil ...	Ranga Chandra Sil	[illegible]	[illegible]	[illegible]				

38	19 (f) and 20, Indian Arms Act,	1. Harsha Nath *alias* Matl Lal Chatarji.	Rash Mohan Chatarji ...	Bidhari ..	Pabna	Faridpur	3 years' rigorous imprisonment	...	17th June 1914 : 19 (f), Arms Act.	Both the accused were committed to the Court of Sessions for trial under sections 19 (f) and 20 of Act XI of 1878, and section 120 B, Indian Penal Code, on 4th March 1914
		2. Khagendra Nath *alias* Suresh Chandra Chaudhuri.	Not known ..	Singur	Sabar	Dacca ...	Ditto. ..	...	Ditto.	

For 1915 and up to end of July 1916.

139	109, Criminal Procedure Code	Bhawani Charan Taraffdar	Abhoy Charan Taraffdar ..	Sankarbari	Chandpur	Pabna ..	Ordered to furnish a bond of Rs. 1,000 with two sureties of Rs. 500 each : in default one year's rigorous imprisonment on 9th March 1915		
140	Ditto ..	Jatindra Hui ..	Ishan Chandra Hui	Tetulia	Serajganj	Do	Ordered to furnish a bond of Rs. 1,000 with two sureties of Rs. 1,000 each : in default one year's rigorous imprisonment on 28th September 1915		
141	Ditto	Anath Bandhu Chakrabartti *alias* Chunu Lal Chakrabartti.	Rajani Kanta Chakrabartti.	Subidhaya	Kasiganj	Dacca	Ordered to furnish a bond of Rs. 500 with two sureties of Rs. 500 each : in default one year's rigorous imprisonment on 8th September 1915.		Prosecuted at Jessore.
142	Ditto	Ashutosh Ray	Late Mohini Ray		Hemaitpur	Pabna	Ordered to furnish two sureties of Rs. 250 each on 3rd September 1915		Prosecuted at Calcutta
143	Ditto	1. Hangshu Gopal Agarwalla	Madhusudan Agarwala	Old Malda	Malda	Malda ..	Ordered to furnish a personal recognizance of Rs. 1,000 and two sureties of Rs. 1,000 each : in default one year's rigorous imprisonment on 4th October 1915.		
		2. Kailash Chandra Misra	Late Chandra Kanta Misra	Nasipur	Faraka	Murshidabad	The case against No. 2 was withdrawn on 4th October 1915		
144	411, Indian Penal Code, and 19 (f) and 20 Arms Act.	Mrinamay Das Gupta *alias* Mena.	Mohini Mohan Das Gupta			Bogra town	Discharged ..	22nd November 1915.	
145	420, 465, 468 and 471, Indian Penal Code, and 19 (d) and 20 Arms Act.	P. L. Cassler ...	—			Calcutta	Two years' rigorous imprisonment by the Chief Presidency Magistrate.	465, Indian Penal Code	Reduced to one year by the High Court
146	109, Criminal Procedure Code.	Purna Chandra Chakrabartti.	Dina Nath Chakrabartti ..	Basaura	Durgapur	Mymensingh	Ordered to execute a bond for Rs. 2,000 with three sureties for Rs. 2,000 each : in default one year's rigorous imprisonment on 20th September 1915		Prosecuted at Dacca.

Serial No.	Section of Law.	ACCUSED. Name.	Father's name.	RESIDENCE Village.	Thana.	District.	RESULT OF TRIAL. Convicted.	Acquitted or discharged.	Date and section.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
347	22, Arms Act ...	D. C. Russell	.....	....	....	Calcutta ..	Six months' rigorous imprisonment by the Chief Presidency Magistrate.	.....	20th December 1915; 22, Arms Act.	
348	Ditto ...	A. Gange	.....	.....	.....	Do. ..	Three months' simple imprisonment by the Chief Presidency Magistrate.	.....	8th January 1916; 22, Arms Act.	
349	109, Criminal Procedure Code.	Anukul Chandra Chakrabartti.	Hara Nath Chakrabartti	Srirampur ...	Ramganj ...	Noakhali ...	Ordered to furnish security of Rs. 5,000 and two sureties of Rs. 2,500 each; in default one year's rigorous imprisonment on 5th January 1916.			Prosecuted at Dacca.
350	Ditto ...	Bhuban Behari Basu *alias* Anul Chandra Ray.	The late Prasanna Basu .	Ourshali	Tangibari .	Dacca ...	Ordered to furnish security of Rs. 2,000 with two sureties for Rs. 1,000 each; in default one year's rigorous imprisonment on 5th January 1916.			
351	Ditto	Rasik Chandra Sarkar ..	Chandra Nath Sarkar ..	Naganara	Nagapara ..	Mymensingh ..	Ordered to furnish security of Rs. 5,000 with five sureties of Rs. 1,000 each; in default one year's rigorous imprisonment on 10th February 1916.			Prosecuted at Dacca.
352	Ditto ...	1. Bhagwan Chandra Das,	Rup Chand Das	Durgapur	Barchang ..	Tippera ...	Ordered to furnish security of Rs. 2,000 with two sureties of Rs. 1,000 each; in default one year's rigorous imprisonment on 10th February 1916.			Ditto.
		2. Ramesh Chandra Chaudhuri.	Sibananda Chaudhuri	Subhar ...	Barhatta	Mymensingh.				
353	411, Indian Penal Code and 19(f), Arms Act.	1. Abani Kumar De ...	The late Chandi Charan De	Chhoto Komoldah ...	Mirsarai ..	Chittagong ...	Three months' rigorous imprisonment	Acquitted on appeal...	6th March 1916.	
		2. Aswini Kumar Das ...	Purna Chandra Das ...	Sonudran.	Barchang ..	Tippera ...	Ditto ...	.....	Ditto.	
354	395, Indian Penal Code.	Bipin Behari Ganguli ...	Akhoy Nath Ganguli ...	Habibar .	Naihati	24-Parganas ...	Five years' rigorous imprisonment.	... ..	18th September 1915 ...	Agarpara dacoity. Tried by Special Commission.
355	307, 149, 402, 397 and 120 B, Indian Penal Code.	1. Phanindra Bhusan Ray	Hrishikesh Ray .	Bhagwan .. .	Daulatpur	Nadia	Ten years rigorous imprisonment seven years' transportation and seven years' rigorous imprisonment	.....	10th August 1916; 307, 149, 397, 120 B, and 402, Indian Penal Code.	
		2. Khitish Chandra Sanyal.	Girish Chandra Sanyal ...	Chapra . ..	Kushtia	Do. ...	Ditto ..	.....	Ditto.	
		3. Ashutosh Lahiri ...	Makunda Nath Lahiri							

										494. Criminal Procedure Code.	
		2. Rajani Kanta Basu ...	Priya Gopal Basu ...	Satithan	Dadpur ...	Hooghly ..	....	Ditto	Ditto	Ditto.	
		3. Radha Charan Parmanik.	Gobinda Chandra Parmanik.	Rajour	Madaripur ...	Faridpur ..	Two years' rigorous imprisonment and seven years' rigorous imprisonment.	Acquitted ...	..	19 (f), Arms Act.	
		4 Patit Patan Ghosh *alias* Fatik.	Madan Mohan Ghosh ...	Arya Dattapara	Silchar ..	Ditto ...	.....	.....		22nd November 1915; 395, Indian Penal Code.	
		5. Narendra Nath Bhattacharji.	Dina Nath Bhattacharji ...	Kodalia	Sonarpur ...	24-Parganas ...	.....	..		22nd November 1915; 494 Criminal Procedure Code.	Absconding.
58	396, 397, 399 and 395, read with section 120B, Indian Penal Code.	1. Bhupendra Krishna Ghosh.	Tarapada Ghosh ..	No. 20-1, Sampukur Lane, Calcutta	..		Transportation for life ..	...		15th February 1916; 396, Indian Penal Code.	Shibpur dacoity. (Tried by a Commission.)
		2. Nikhil Ranjan Guha Ray.	Late Hari Kumar Guha Ray	Mulgaon .	Gossairhat ..	Faridpur ...	Ditto	.		Ditto.	
		3. Harendra Kumar Bhattacharji.	Hari Kumar Bhattacharji	Bhogeswari ..	Falong ...	Do	Ten years transportation	..		Ditto.	
		4. Jatindra Nath Nandi	Harris Chandra Nandi	Mirgaon .	Batla .	Mymensingh ...	Transportation for life	..		Ditto.	
		5. Surendra Nath Biswas	Nabin Chandra Biswas	Ghatpara .	Jhalakati .	Bakarganj	Ditto	.		Ditto.	
		6. Shamkul Chatarji ...	Haradhar Chatarji	Maharampur ..	Dhaniakhali ...	Hooghly	Ditto			Ditto.	
		7. Satya Ranjan Basu *alias* Satish Chandra Ghosh	Shoukat Ali Basu ...	Bhadranagar .	..	Mymensingh	Ditto	..	.	Ditto.	
		8. Sachindra Datta *alias* Hem Chandra Sarkar.	Golak Chandra Sarkar ..	Nagna	Kishorganj ..	Ditto .	Ditto ...			Ditto.	
		9. Radhika Ranjan Guguli	Prasanna Kumar Ganguli	Dariala ..	Bakarganj	Bakarganj		Discharged	.	15th February 1916.	
		10. Satindra Nath Sen Gupta.	Nabin Chandra Sen Gupta	Bagan Uttarpara	Kotalipara	Faridpur		Acquitted		Ditto	
		11. Bijoy Ranjan Mitra	Nibaran Chandra Mitra ...	No. 61, Ambika Street, Calcutta Durgapur . ..	Gopalganj .	Faridpur .	.	Ditto	.	Ditto	
		12 Narendra Nath Sarkar	Ganga Gobinda Sarkar ..	No. 3, Charana Sen Lane, Calcutta Shikarpur .. .	Karimpur .	Nadia . ..	.	Pardoned			King's evidence.
		13 Asutosh Kumar Ganguli.	Late Bindaban Chandra Ganguli	No. 2-5, Dornakhola Street, Calcutta Narendrapur .	Barisal	Bakarganj .		Discharged	...	15th February 1916	
		14. Narendra Mohan Ghose Chaudhuri.	Gopal Chandra Ghose Chaudhuri	Dattapara . ..	..	Noakhali ..	Transportation for life .		.	15th February 1916; 395, Indian Penal Code.	
59	395, Indian Penal Code	1. Biman Ghosh ..	Krista Mohan Ghosh ...	Barat	Serampur	Hooghly .					
		2. Manu Mohan Mukharji.	Prabhat Chandra Mukharji	Gerabasia . .	Calcutta	Do					
		3. Harendra Charan ...	Late Sarat Chandra Charan	Dafferpur .	Dumurdaha ...	Howrah	...	Discharged ..		4th May 1916	Dealt with under the Defence of India Act. Daffarpur dacoity.
		4. Satya Charan Ghosh .	Sasi Bhushan Ghosh .	Ditto .	Do ...	Do.					
		5. Kiskindra Chaudhuri.	Lakhan Chandra Chaudhuri	Ditto .. .	Do ...	Do.					
		6. Mahabal Ghosh ...	Akhoy Kumar Ghosh ...	Ambazar	Baranagar ...	24-Parganas ...	..				
		7. Hemant Kumar De	Purna Chandra De .	Konnagar .		Hooghly ...					
360	Telegraph Act and 19 (f), Arms Act.	Abani Mohan Ray Chaudhuri.	Kali Kishore Ray Chaudhuri	Kandhua	Kowra ..	Tippera ...	Two years rigorous imprisonment	..		6th May 1916	Gandaria dacoity, Tippera.
361	19 (c) and (f), Arms Act.	Sanjib Chandra Ray ...	Gobinda Chandra Ray .	Kayerpagli	Kasiadi	Mymensingh ..	Ditto ...	...		8th July 1916 .	Absconder from an order under Rule 1 of the Defence of India Rules.

Serial No.	Section of Law.	ACCUSED.		RESIDENCE.			RESULT OF TRIAL.			REMARKS.
		Name.	Father's name.	Village.	Thana.	District.	Convicted.	Acquitted or discharged.	Date and section.	
1	2	3	4	5	6	7	8	9	10	11
[illegible]	386, 387 and 392, Indian Penal Code.	Tarapada Bhattacharji ...	Nagendra Nath Bhattacharji.	Behara	.....	24-Parganas ...	Seven years' rigorous imprisonment.	.....	5th September 1916; 387, Indian Penal Code.	Comilla extortion case.
[illegible]	302, 302-34 and 302-109, Indian Penal Code.	Mahendra Nath Das ...	Krista Dhan Das ...	Alal	Gajole ...	Malda	Transportation for life ...	.....	29th July 1916	Malda murder case.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Monday, the 5th March, 1917, at 11 A.M.

Present :

His Excellency the Right Hon'ble THOMAS DAVID, BARON CARMICHAEL OF SKIRLING, G.C.I.E., K.C.M.G., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble MR. P. C. LYON, C.S.I., *Vice-President.*

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA, K.C.I.E.

The Hon'ble MR. N. D. BEATSON BELL, C.S.I., C.I.E.

The Hon'ble SURGEON-GENERAL W. R. EDWARDS, C.B., C.M.G.

The Hon'ble MR. B. C. MITRA.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. H. L. STEPHENSON, C.I.E.

The Hon'ble MR. J. DONALD.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. W. W. HORNELL.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR.

The Hon'ble IHTISHAM-UL-MULK RAIS-UD-DAULA AMIR-UL-OMRAH NAWAB SIR ASIF QADR SAIYID WASIF 'ALI MIRZA KHAN BAHADUR MAHABAT JANG, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble DR. NILRATAN SARKAR.

The Hon'ble MR. J. MACKENZIE.

The Hon'ble MR. G. C. GODFREY.

The Hon'ble MR. AMINUR RAHAMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. PROVASH CHUNDER MITTER

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINHA.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI, C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. F. W. CARTER, C.I.E.

The Hon'ble SIR A. BIRKMYRE, KT.

The Hon'ble MR. E. B. EDEN.

The Hon'ble MR. E. A. MARTIN.

The Hon'ble MR. H. R. A. IRWIN.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MR. A. RASUL.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

LIST OF BUSINESS—ITEM No. 1.

OATH OR AFFIRMATION OF ALLEGIANCE.

The Hon'ble Mr. B. C. Mitra, the Hon'ble Mr. Cowley, the Hon'ble Mr. Carter and the Hon'ble Dr. Abdulla-al-Mamun Suhrawardy made an oath or affirmation of their allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.

STARRED QUESTIONS.

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

* 1. (*a*) Are the Government aware that the Bengal Mining Settlements Act of 1912 does not provide any remedy for the defects of the present system regarding the housing of casual labourers in the coal-fields of Bengal? Hou colli labo

(*b*) Are the Government considering the desirability of appointing a committee to inquire into the question of the housing of casual labourers in the coal-fields of Bengal?

Answer by the Hon'ble MR. DONALD :—

" (*a*) Government are aware that the Bengal Mining Settlements Act of 1912 does not confer powers to deal with the housing of labourers who come from homes at a distance to work for short periods at the mines. The Act gives power only to provide for the housing of residents within a mining settlement.

(*b*) Government do not consider it necessary to appoint a committee. But the matter will be brought to the notice of the Managers of mines with a view to improving the arrangements for the housing of casual labourers wherever improvement appears to be necessary."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :

* 2. (*a*) Is it a fact that there are a large number of cases of cattle-poisoning actually occurring in Bengal which are not reported to the police? Cat in B

(*b*) Is it a fact that many cases of cattle-poisoning have been proved to be due to the administration of arsenic?

(*c*) Will the Government be pleased to state whether they are considering the advisability of taking action to urge upon the owners of cattle the desirability of informing the police whenever a case of cattle-poisoning occurs?

Answer by the Hon'ble MR. KERR :—

" (*a*) It is probable that a considerable number of cases are not reported to the police, but it is impossible to say whether the number is large or not.

(*b*) Yes.

(*c*) No such proposal is under the consideration of Government."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

* 3. Will the Government be pleased to lay on the table a detailed statement showing the amount actually spent up to December, 1916, for improving popular education in Bengal, out of the lump sum of Rs. 9,25,000 provided for this purpose in the Budget Estimates for 1916-17? Exp on I educ

Answer by the Hon'ble MR. HORNELL :—

" The Government of Bengal regret that they are unable to supply the information asked for, as no separate account is kept of the expenditure in question. The lump sum referred to consists of two Imperial grants of Rs. 9,00,000 and Rs. 25,000 which have been allotted for expenditure under various heads; and the expenditure is in some cases included in expenditure on similar objects met from allotments from other grants."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

* 4. (*a*) Will the Government be pleased to lay on the table a statement showing the amount actually spent up to December, 1916, for female education in Bengal under various items, out of the sums provided for this purpose in the Budget Estimates for 1916-17?

(*b*) Will the Government be pleased to state the amount of the balance still available for female education for the year ending 31st March, 1917?

Answer by the Hon'ble MR. HORNELL :—

"A statement is laid on the table showing the actual expenditure from Provincial revenues up to December, 1916, so far as figures are available.

For the reasons stated in the reply to Question No. 3, no statement can be given of the expenditure from the Imperial grants.

(*b*) The Hon'ble Member is referred to the answer to Question No. 3, from which it will be apparent that Government are not in a position to state the amount of the balance available from the provision for female education in the Budget for the year 1916-17."

Statement referred to in the answer by the HON'BLE MR. HORNELL *to Question No. 4 (starred) asked by the* HON'BLE RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council Meeting of the 5th March, 1917.*

Expenditure on female education from Provincial Revenues from the 1st April, to the 30th December, 1916.*

	Expenditure.	Budget estimate
	Rs.	Rs.
Inspectresses and Assistant Inspectresses	27,859	27,000
Establishment	833	...
Travelling Allowance	6,546	...
Contingencies	15,636	...
Arts Colleges for girls	30,045	45,000
High Schools for girls	78,161	1,05,000
Middle English Schools for girls	72,390	92,000
Middle Vernacular Schools for girls	2,264	41,000
Upper Primary Schools for girls	1,588	41,000
Lower Primary Schools for girls	13,064	16,000
Zenana Classes	10,125	13,000
Training Schools for Mistresses	20,493	32,000
Grants-in-aid for Indian girls	1,59,384	†
" " European girls	38,656	†
Grants towards building for Indian girls	23,055	†
" " " European girls	10,000	†
" " furniture and apparatus for Indian girls	720	†
" " furniture and apparatus for European girls	...	†
Other grants to Zenana education (Central gatherings)	2,054	1,460
" " Female teachers' house to house visitation	7,295	6,690
Allowance to School Masters' wives	240	...
Grants to peripatetic needle-work teachers	384	1,180
Scholarships in the Bethune College	5,733	†
Girls' scholarships in the Secondary Schools ...	5,640	7,116
Miscellaneous charges for special Committee on Education of Hindu girls	518	...

* NOTE.—These figures are not complete, as the charges on account of female education are not in cases shewn separately in the accounts.

† The figures cannot be separated from the lump grants for both male and female education under respective heads provided in the budget.

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

*5. (*a*) Will the Government be pleased to state whether Nawab Abdur Rahman was the Second Judge of the Calcutta Small Cause Court when he retired?

(*b*) Is it a fact that Mr Zahid Suhrawardy was at first a Vakil of the Calcutta High Court and then a Barrister-at-Law of some years' standing before he was appointed as a Judge of the Calcutta Small Cause Court upon the retirement of Nawab Abdur Rahman?

(*c*) Will the Government be pleased to state the reason for not appointing Mr. Zahid Suhrawardy as the Second Judge, in the place of the retired Nawab?

(*d*) Will the Government also be pleased to state the reasons for placing Mr. Suhrawardy below the two European Judges and above the three Indian Judges, including the Registrar of the Court?

Answer by the Hon'ble MR. KERR :—

"(*a*) & (*b*) Yes.

(*c*) & (*d*) Government desired to take advantage of the retirement of Nawab Abdur Rahman to give promotion to the existing Judges of the Court as far as possible. At the same time they felt that it was most desirable to appoint a Muhammadan lawyer of standing to the Court, and it was not possible to find a suitable Muhammadan lawyer willing to enter the Court at the bottom. Mr. Suhrawardy was the most capable and experienced Muhammadan lawyer available and was appointed to the lowest place that he could be prevailed upon to accept. This arrangement enabled Government to promote the present Second and Third Judges who entered the Court in 1891 and 1902, respectively. The Fifth and Sixth Judges entered the Court in 1913 and 1908, respectively, while the Registrar was appointed to his post in 1915."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

*6. Will the Government be pleased to furnish a statement for the year 1915-16, showing—

(*i*) the total number of Middle English and Middle Vernacular schools as well as Upper Primary and Lower Primary schools, in Bengal, and how many of these were Government institutions and how many were private? What was the total number of students attending these schools?

(*ii*) the total number of High schools affiliated to the University, showing how many of these were private and how many Government institutions, and the total number of students attending these schools?

(*iii*) the total number of colleges of all sorts, showing how many of these were Government institutions and how many private, and the total number of students attending these colleges?

Answer by the Hon'ble MR. HORNELL :—

"The Hon'ble Member is referred to General Table III appended to the Report on Public Instruction in Bengal for 1915-16, of which a copy has been sent to him, while another copy has been placed on the Library table."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

*7. What was the total strength of the Educational Inspecting staff, including Inspectors, Additional and Assistant Inspectors (of either sex), Deputy Inspectors, Sub-Inspectors and Inspecting Pandits in the year 1915-16?

Answer by the Hon'ble MR. HORNELL :—

" A statement is laid on the table."

Statement referred to in the Answer by the Hon'ble MR. HORNELL *to Question No. (starred) asked at the Council Meeting of the 5th March, 1917, showing the tot strength of the Educational Inspecting staff on the 31st March, 1916.*

	Number.
Inspectors of Schools	5
Additional (or Second) Inspectors of Schools	8
Inspector of European Schools	1
Inspectresses of Schools	2
Assistant Inspectors of Schools (including those for Muhammadan Education)	19
Assistant Inspectresses of Schools (including additional or special Assistant Inspectresses)	10
Deputy Inspectors of Schools (including Additional or Subdivisional Deputy Inspectors)	75
Sub-Inspectors of Schools (including special Sub-Inspectors) ...	249
Assistant Sub-Inspectors of Schools	37
Inspecting Maulvis	6
Inspector of Residence of Students	1

N B.—The above statement does not include officers who are not Government servants employed b District Boards, Municipalities, and the Calcutta University.

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

* 8. What was the total budget allotment for education in 1915-16 and how much of this grant was absorbed separately under each of th following heads, *viz* :—

(*i*) Inspection and Superintendence,
(*ii*) Buildings;
(*iii*) Stipends or Scholarships; and
(*iv*) Grants-in-aid?

Answer by the Hon'ble MR. HORNELL :—

" The total budget allotment for education in 1915-16, including th provision made from both Provincial revenues and Imperial grants, was Rs. 1,05,62,000. The following allotments were made from Provincial revenues :—

	Rs.
Direction and Inspection ...	9,58,000
Stipends and Scholarships ...	4,37,000
Grants-in-aid	15,06,000
Buildings	†1,38,000

The Imperial grants were shown in the budget as lump sums and separate allotments under these heads were not made."

† Out of Rs. 15,06,000 for grants-in aid.

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

* 9. (*a*) With reference to the official *communiqué* recently issued, ncreasing the price of oil by 10 annas per unit of two tins of oil, will the Government be pleased to state whether they are aware that in many places here is no provision for storing bulk oil and that the increase made in the rice of tin oil is pressing heavily upon the consumers?

(*b*) Are the Government aware that one result of the *communiqué* has een to stifle competition between bulk oil and tin oil in many places?

(*c*) Are the Government taking any steps to remedy this hardship?

Answer by the Hon'ble MR. DONALD :—

"Government are aware that in many places there is no provision for storing oil in bulk. But the difficulty of securing tin plates for the manufacture of tins is so great that it is not possible to sell oil in tins to the same extent as formerly. The price of tins has been increased in order to lessen the demand for tins and induce customers to purchase oil in bulk, and as the price of oil in bulk remains unchanged, it is to the benefit of the consumer to do so. It is desirable to restrict the use of tins as far as possible, and at the same time equally desirable that oil tins should be reserved for this purpose and should not be utilised for other purposes. Both these considerations are met by the increase in the price of tins. The purchaser of oil in tins is not a loser, as the value of the tin itself is certainly not less than the difference between the value of two gallons of oil in tin and in bulk. Government are aware that in some cases dealers are taking advantage of the increase in the price of tins to demand an enhanced price for oil retailed by them. A further consideration affecting the price is the fact that the supply of inferior oil has decreased owing to the cessation of imports of foreign oil and that as a consequence the demand for superior oil, the supply of which is unchanged, has now largely increased. Steps are being taken to make it more generally known that the price of bulk oil has not been changed, while at the same time measures are in contemplation for extending the facilities for the sale of bulk oil."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

* 10. (*a*) Will the Government be pleased to make a statement explaining the arrangement made in the Presidency Court of Small Causes, by way of filling up the vacancy caused by the retirement of Nawab A. F. M. Abdur Rahman?

(*b*) Who are the officers that have been affected by the manner in which this arrangement has been made?

(*c*) How long has each of them been in Government service and in what capacities, and since when has each of them been in the Presidency Court of Small Causes?

(*d*) Is it not the usual practice, in the case of vacancies in the higher Judgeships in the said Court, to fill them by promotion and make direct recruitment in the lowest appointment?

(*e*) If so, on how many and what occasions was this practice departed from in the past, except in the case of the Chief Judgeship?

(*f*) What are the special qualifications of the gentleman lately appointed Fourth Judge, or other special circumstances, that justify the appointment of an outsider being made in a higher post in supersession of the claims of others already employed in judicial work in the said Court?

Answer by the Hon'ble MR. KERR :—

"(*a*) & (*f*) The Hon'ble Member is referred to the reply to the question which the Hon'ble Babu Ambika Charan Mazumdar has put on this subject.

(*b*) & (*c*) The Hon'ble Member is referred to the Civil List and to the History of Services of Gazetted Officers.

(*d*) This practice has usually been followed.

(*e*) Permanent direct appointments to the Second Judgeship were made in the cases of Mr. Ormond in 1894, and Mr. Bell who had previously acted temporarily as Third Judge for 11 days, in 1904, and to the Third Judgeship in the case of Mr. Handley, in 1892.

Temporary appointments direct to superior Judgeships, excluding the Chief Judgeship, have been made on three occasions."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Settlement operations.

* 11. (*a*) Referring to the answer given to Question No. 12 asked by Babu Surendra Nath Banerji, at a meeting of this Council, on the 30th June, 1913, will the Government be pleased to lay on the table such forms used by the Settlement Department as were stated in the said answer to have given rise to the misunderstanding referred to therein?

(*b*) Is it a fact that in the recent record-of-rights operations, the King-Emperor has been entered as owning a superior right (*Uparistha Sattwa*) with reference to zamindari interests?

(*c*) If so, what are the provisions of the law sanctioning such entries, and under what specific orders have the forms been prepared enabling such entries to be recorded?

Answer by the Hon'ble MR. KERR :—

"(*a*) A copy of a proprietary *khatian* used in the Faridpur settlement with specimen entries has been sent to the Hon'ble Member and another copy has been placed on the Library table.

(*b*) The facts are not quite correctly stated. In the *khatians* of zamindari interests the King-Emperor is entered in the record-of-rights as the "Superior Interest" or "Paramount Power" entitled to receive land revenue. The zamindar himself is clearly entered as proprietor (*malik*).

(*c*) In view of the above, no answer is required."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Village Self-Government Bill.

* 12. (*a*) Will the Government be pleased to state when the Village Self-Government Bill is likely to be introduced in the Legislative Council?

(*b*) Is the said Bill ready?

(*c*) If so, will the Government be pleased to state whether they are considering the desirability of publishing it for criticism and of circulating it to the District and Local Boards for opinion?

Answer by the Hon'ble MR. DONALD :—

"The Bill is not yet ready and Government are unable to say when it is likely to be introduced. When it is introduced, an opportunity will be given to District Boards and the public to express their opinion on its provisions."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Distribution of augmentation grant to District Boards.

* 13. (*a*) Will the Government be pleased to make a statement detailing the terms and conditions on which the augmentation grant was made in favour of the District Boards by the Government of India?

(*b*) What were the stipulations to which the Provincial Government agreed in this connection as regards the method of distribution among the individual Boards?

(*c*) What is the principle on which the amount of the allotment of the augmentation grant to individual District Boards in any particular year is ascertained?

(*d*) Does it bear any proportion to the cess receipts?

(*e*) If so, will the Government be pleased to explain the process of calculation by a reference to the amounts of the grant for 1913-14 and subsequent years?

(*f*) Referring to the figures given in reply to my unstarred question No. XLVII on the 13th December, 1916, will the Government be pleased to explain the reason why the augmentation grant has been showing a decrease since 1913-14 as compared with the amounts of the previous years?

Answer by the Hon'ble MR. DONALD :—

"(*a*) & (*b*) When the augmentation grant was first made, the Government of India stated that they proposed at the outset to leave the distribution of the grant to the discretion of the Local Government, but that later on it would probably prove desirable to make the distribution rateably. They directed that the District Boards should be instructed that, in utilising the sums placed at their disposal, expenditure on roads and bridges should have preference in all cases in which additional outlay on such works could be incurred with advantage. No other terms and conditions were laid down by the Government of India and there was no agreement between that Government and the Local Government.

(*c*) The Hon'ble Member is referred to the answer given to clause (*b*) of the answer to starred question No. 10 asked by him on the 23rd January, 1917.

(*d*) & (*e*) The amount of the augmentation grant is fixed at 25 per cent. of the net receipts from the road cess less the amount by which the net Public Works Cess exceeds Rs. 29,42,000. This latter sum is made up of the Imperial assignment to Provincial Revenues as compensation for the loss of the Public Works Cess and the amount of the equilibrium grant that was resumed when the Public Works Cess was made over to District Boards.

The calculations for the year 1913-14, and subsequent years were as follows :—

	Rs.
1913-14—	
Net Road Cess receipts	29,38,832
25 per cent. on above	7,34,708

The augmentation grant was, therefore, Rs. 7,34,708, but the amount was originally calculated at Rs. 5,84,496, and this amount only was paid in 1913-14. The balance was subsequently paid to District Boards, *viz.*, Rs. 15,000 in 1914-15, and Rs. 1,35,212 in 1915-16, the latter sum being made over to the District Boards mentioned in paragraph 13 of the Resolution on the working of District Boards for 1915-16.

	Rs.
1914-15—	
Net Road Cess receipts	29,44,888
25 per cent. on above	7,36,222
Deduct difference between Rs. 29,90,367 (net Public Works Cess) and Rs. 29,42,000	48,367
Augmentation grant	6,87,855
To which was added Rs. 15,000 arrears of previous year ...	15,000
Total ...	7,02,855
15-16—	
Net Road Cess receipts	29,39,461
25 per cent. on above	7,34,865
Deduct difference between Rs 30,79,788 (net Public Works Cess) and Rs. 29,42,000	1,37,788
Augmentation grant	5,97,077
To this was added Rs. 1,35,212 (above referred to)	1,35,212
Total ...	7,32,289
1916-17—	
Net Road Cess receipts	30,28,309
25 per cent. on above	7,57,077
Deduct difference between Rs. 32,75,431 (net Public Works Cess) and Rs. 29,42,000	3,33,431
Augmentation grant	4,23,646

Answer by the Hon'ble MR. DONALD :—*concluded.*

(*f*) The augmentation grants for each year since 1913-14 have declined owing to the fact that the excess of the receipts from Public Works Cesses over the Imperial assignment made to Provincial Revenues as compensation for the loss of the Public Works Cess has increased in each year."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Allotment of augmentation grant to District Boards.

* 14. (*a*) What are the terms of agreement between the Imperial and the Provincial Governments which permit the latter to depart from the general principles of allotment of the augmentation grant to individual District Boards, as stated in answer to starred question No. 10 asked by me on the 23rd January last?

(*b*) On how many and what occasions were such departures made by the Government of Bengal since 1905, and in what particular manner were these departures made?

(*c*) Is there any instance on record in which a mistake in the calculation of the amount of augmentation grant, as referred to in answer to starred question No. 10 of the 23rd January, 1917, was considered a sufficiently strong case to justify a variation from the practice of making rateable distribution; and do the rules or the understanding in this behalf authorise Government to make such variations on any such grounds?

Answer by the Hon'ble MR. DONALD :—

" (*a*) As stated in the reply to question 13 (*a*) and (*b*), there was no agreement between the Local Government and the Government of India.

(*b*) From 1905-06 to 1908-09, Government distributed the grant rateably to divisions, leaving the Commissioners to distribute it among the different District Boards in their divisions according to local requirements. A slight deviation from the principle of rateable distribution occurred in 1907-08 and 1908-09. In the former year the allotment to the Burdwan and Presidency Divisions was reduced by Rs. 2,262 and Rs. 541, respectively, the allotment to the Orissa Division being increased accordingly; and in the latter year the allotments made to the Burdwan and Presidency Divisions were the same as in 1907-08. From 1909-10 to 1914-15 the grant was distributed rateably by Government direct to different District Boards. In 1915-16 special grants were made for special reasons to particular District Boards, as explained in the answer to clause (*c*).

(*c*) The special grants amounting to Rs. 1,35,212, which were made in 1915-16, were justified by the exceptional circumstances of particular districts and not by the mistake in calculation. As stated in the reply given to starred question No. 10 on the 23rd January, 1917, Government have the right to depart from the principle of rateable distribution in exceptional cases to meet exceptional circumstances."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Proposed Cess (Amendment) Bill.

* 15. (*a*) With reference to a statement made by His Excellency the President in this Council on the 1st December, 1913, to the effect that it was expected to make certain amendments in the Cess Act of 1880, will the Government be pleased to state the reason for the delay in introducing the amending Bill?

(*b*) Is the said Bill ready?

(*c*) If so, when is it expected to be introduced in Council, and what are its main provisions?

Answer by the Hon'ble MR. KERR :—

" (*a*) & (*b*) It has been decided to postpone the Bill to amend the Bengal Cess Act until the Village Self-Government Bill is considered. When the latter matter is settled, the question of introducing the amending Bill will be taken up.

(*c*) Government are not prepared at this stage to publish information regarding the provisions of the Bill."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Exemptions under the Arms Act.

* 16. (*a*) With reference to the exemptions allowed under the Arms Act, as specified in article 18 (*c*) of Schedule I of the Indian Arms Rules, 1909, will the Government be pleased to state whether the said exemptions are made by the Governor General in Council on the recommendation of the Local Government?

(*b*) If so, what are the principles on which such recommendations are made?

(*c*) What class of persons are meant to be included in the term "great zamindars of Bengal" in the said article?

(*d*) How many persons in Bengal at present enjoy the privilege of exemption under particular articles of Schedule I of the Indian Arms Rules?

Answer by the Hon'ble MR. KERR :—

"(*a*) The Government of India have exempted great zamindars as a class. The question whether any particular individual falls within the class is decided by the Local Government under the authority vested in it by the entry in the third column of the Schedule.

(*b*) & (*c*) Each case is decided on its merits, regard being had to the importance of the zamindari and the status of the family.

(*d*) The number of persons exempt under the following articles of Schedule I is as follows :—

Article				Number.
1	...	...	...	85
1 (*a*)	...	...	...	61
1 (*b*)	...	...	...	409
1 (*e*)	...	...	...	14
4	...	...	...	1,800
15 (*a*)	...	...	...	64
18 (*c*)	...	...	...	157

Statistics regarding the number of persons exempt under other articles are not available."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Proposed Light Railway in Rajshahi.

* 17. (*a*) With reference to the reply given to my unstarred question No. I (*d*) asked at the meeting of the Council held on the 13th December last, regarding the construction, by the District Board of Rajshahi, of a light railway between Ishurdi and Godagari, will the Government be pleased to state what decision, if any, the Railway Board has arrived at in the matter?

(*b*) In considering the question, have the Railway Board taken into account the fact that the line from Godagari has already been extended to Bargachi, which is 13 miles from Rampur Boalia, and that the people are suffering great hardships for want of connection in regard to these 13 miles only?

(*c*) If the answer to clause (*b*) is in the negative, will the Government be pleased to state whether they are considering the desirability of drawing the attention of the Board to this aspect of the case?

Answer by the Hon'ble MR. COWLEY :—

"(*a*), (*b*) & (*c*) The Railway Board are in possession of full particulars regarding the positions of the existing lines and of the desire of the people of Rampur Boalia for railway connections to their town. This Government are still awaiting the orders of the Railway Board regarding the proposed District Board railway from Ishurdi to Godagari."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Steamer service in Rajshahi.

* 18. (*a*) Are the Government aware that the India General Steam Navigation and Railway Company are now running a steamer from Pabna to Paksi and have opened a steamer ghat at the latter place?

(*b*) Are the Government also aware that people proceeding to Eastern Bengal from Rampur Boalia, Sardah and other places on the bank of the Padma, experience great difficulty for want of proper communications?

(*c*) Will the Government be pleased to state whether they are considering the desirability of arranging with the India General Steam Navigation and Railway Company for a daily steamer service between Paksi and Charghat, up to which latter place a daily steamer service is now running from Lalgolaghat *viâ* Rampur Boalia?

Answer by the Hon'ble MR. COWLEY :—

" (*a*), (*b*) & (*c*) The Managing Agents of the India General Steam Navigation and Railway Company have been consulted by Government and have replied as follows :—

> ' In December last, owing to deterioration of the channels at the entrance to the river Gorai, we were compelled temporarily to divert our ferry service, which for some years has run between Pabna and Kushtia, to Paksi. The service has since run between Pabna and Paksi, but will revert to Kushtia when the water at the Gorai entrance permits of this being done.
>
> ' Until our vessels taken up by Government are returned to us or can be replaced, we greatly regret that we are unable to promise an extension of the existing Lalgolaghat-Charghat steamer service to Paksi, which would mean the provision of an additional steamer for that service. The matter will, however, be kept well before us.'

Government are satisfied that the Company is doing its best for the convenience of the public."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Money order commissions on landlords' fees.

* 19. (*a*) With reference to the reply given to my starred question No. 1 (*b*) asked at the meeting of the Council held on the 13th December, 1916, will the Government be pleased to state whether separate money order commissions for the transmission of landlords' fees to each of the joint landlords, according to their respective shares and interests in the land transferred, are demanded from the transferees of permanent tenures?

(*b*) If the answer to clause (*a*) be in the negative, will the Government be pleased to state whether they are considering the desirability of making rules insisting that the transferees of permanent tenures shall state the share or interest of the several joint landlords in the property sold, and shall deposit the requisite money order fees for the transmission of the landlords' fees to the respective landlords?

(*c*) Will the Government also be pleased to state whether they are considering the advisability of making over the landlords' fees, which are about to lapse, to the District Boards of the districts concerned, for expenditure on the improvement of sanitation and primary education?

Answer by the Hon'ble MR. KERR :—

" (*a*) Separate money order commissions are not demanded for the transmission of landlords' fees to each of the joint landlords.

(*b*) Government do not consider it desirable to attempt to apportion landlords' fees among joint landlords, and to realise separate money order commissions for the transmission of the same to each landlord separately.

(*c*) The reply is in the negative."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

* 20. (*a*) Has the attention of the Government been drawn to the case reported in Indian Law Reports 17, Calcutta, page 852?

Preservation of Brahmani bulls.

(*b*) Are the Government considering the desirability of taking such steps as may be necessary for the preservation of Brahmani bulls, which are dedicated at the *sradh* ceremonies of Hindus, and to their utilization, by the agricultural classes, both Hindus and Muhammadans, for breeding purposes?

Answer by the Hon'ble MR. KERR :—

" (*a*) Yes.

(*b*) No such proposals are under the consideration of Government."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

* 21. (*a*) Will the Government be pleased to state whether the allowance of Rs. 100, which is given to Provincial Educational Service officers when acting in the place of Indian Educational Service officers, is confined to Provincial Educational Service officers of the same college in which the Indian Educational Service vacancy occurs, even when the acting officers are very junior?

Acting allowance to Provincial Educational Service officers.

(*b*) Is it a fact that, in other provinces, such acting allowances are not confined to the same college?

(*c*) Is it a fact that in such colleges as the Rajshahi College, which is staffed by Provincial Educational Service officers only, very senior officers do not receive any such acting allowance?

(*d*) Are the Government aware of the feeling that exists that this practice tends to work hardly on several officers who are efficient and have long and meritorious service to their credit?

Answer by the Hon'ble MR. HORNELL :—

" (*a*) The answer is in the negative. When a vacancy occurs in an Indian Educational Service post in a college, the acting allowance is drawn by the officer appointed to act in that post, who may belong to the college or may be transferred from another college.

(*b*) The Government of Bengal have no information.

(*c*) As the Rajshahi College has no post in the Indian Educational Service attached to it, the allowance cannot be drawn by an officer while serving in the college; but there is nothing to prevent an officer in the college being transferred to act in an Indian Educational Service vacancy elsewhere and drawing the allowance in question.

(*d*) The answer is in the negative."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

* 22. (*a*) Is it a fact that the Government contemplated granting special allowances to officers of the Provincial Educational Service when they are promoted to the posts of Principal and Inspector?

Special allowances to Provincial Educational Service officers.

(*b*) Is it a fact that the Principal of the Rajshahi College is the only officer in the Provincial Educational Service who is serving as a Principal of a large first grade Government college?

(*c*) Is it a fact that he has served as such for nearly twenty years?

(*d*) If the answer to clause (*c*) is in the affirmative, will the Government be pleased to state the reason why no such allowance has been given to that officer?

(*e*) If the answer to clause (*a*) is in the affirmative, will the Government be pleased to state whether they are taking steps to grant the said allowance to all officers of the Provincial Educational Service who have been promoted to the post of Principal or Inspector for efficient service?

Answer by the Hon'ble MR. HORNELL :—

" (*a*) No allowances such as those referred to in the question have been sanctioned by Government.

(*b*) & (*c*) The answer is in the affirmative.

(*d*) & (*e*) No such allowances having been sanctioned, these questions do not arise."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Jute-steeping in Bengal.

* 23. (*a*) Are the Government aware that jute-steeping is a source of water pollution in Bengal?

(*b*) Will the Government be pleased to state what steps, if any, they are taking to remedy the evil?

Answer by the Hon'ble MR. DONALD :—

" (*a*) Government are advised that the steeping of jute in water, more especially when the quantity of jute is large and the volume of water is small, can cause such pollution as to render the water unfit for human consumption.

(*b*) A copy of a note by the Sanitary Commissioner, pointing out the danger of steeping jute in the sources of drinking water supply or in water actually used for drinking, has been circulated to District Boards and Municipalities for such action as they may consider necessary. Under the model municipal by-laws the steeping of jute in any tank or ditch in municipal limits is a penal offence, and the model by-laws for District Boards prohibit the steeping of jute in any drain, borrow-pit or excavation at the side of any road."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Condition of Tolly's Nala.

*24. (*a*) What is the present state of Tolly's Nala?

(*b*) Is it a fact that it is gradually being silted up to such an extent that navigation is becoming practically impossible?

(*c*) What steps are the Government taking in the matter?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) The condition of Tolly's Nala has not altered greatly during the past five years.

(*b*) During the period from the 1st December to the 15th June in each year the water in Tolly's Nala is insufficient to allow of the passage of heavily laden boats.

(*c*) Government have been advised that there are two possible remedies to restore navigation in Tolly's Nala—

(*i*) by canalising the nala;

(*ii*) by constructing a lock and sluice at Samukpotta so as to keep out the Bidyadhari tide and by constructing a channel for the Hooghly tide to spill into the southern lake at Samukpotta.

The former remedy formed a part of the original Grand Trunk Canal project, but has for the present been abandoned until it has been ascertained from actual tide observations whether the second remedy is likely to prove effectual.

Tolly's Nala will be closed to navigation with effect from the 12th March, 1917, *vide* Notice dated the 10th February, 1917, published at page 187, Part II, of the *Calcutta Gazette* of the 14th idem, to enable these tidal observations to be made."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

* 25. (*a*) Is it in the contemplation of the District Board of the 24-Parganas to construct a road to Gangashagar for the convenience of Hindu pilgrims? Proposed Gangashagar Road.

(*b*) If so, is the proposed road to be made suitable for carriage and cart drives?

(*c*) Is it a fact that some of local zamindars are willing to give up lands free of cost for the road?

(*d*) If so, who are the zamindars that have expressed their willingness to make a free gift?

(*e*) When is the road likely to be opened out?

Answer by the Hon'ble MR. COWLEY :—

"Government have no information. The Hon'ble Member is advised to apply to the Chairman of the District Board of the 24-Parganas for the information which he desires."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

* 26. (*a*) Are the Government aware that on account of the proposed scheme of the Calcutta Improvement Trust for laying out the Shambazar Park, several tradespeople will be ousted from the khasmahal? The proposed Shambazar Park.

(*b*) Have the Government any *khas* land on the other side of the Canal?

(*c*) If so, are the Government considering the advisability of accommodating the said tradespeople thereon?

Answer by the Hon'ble MR. DONALD :—

"(*a*) & (*c*) The Shambazar Park scheme has not yet been submitted to Government.

(*b*) There is khasmahal land on the eastern side of the Canal."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

* 27. (*a*) Is it a fact that the Government have appointed non-official Chairmen in some of the District Boards in Bengal? Non-official Chairmen in District Boards.

(*b*) If so, in which districts have the Government granted this privilege?

Answer by the Hon'ble MR. DONALD :—

"A non-official has been appointed Chairman of the District Board of Murshidabad."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

* 28. (*a*) Have the Government received a representation from the Corporation asking that the new Lal Bazar Police building be set back to widen Lal Bazar Street, on the ground that the present width is quite inadequate to cope with the large volume of traffic? Proposed widening of Lal Bazar Street.

(*b*) If so, will the Government be pleased to state what orders they have passed on the said representation?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) Yes. An application has been made by the Chairman of the Calcutta Corporation for the transfer to the Corporation of a strip of the land on which the Police building at Lal Bazar stands for widening Lal Bazar Street.

(*b*) The matter is still under correspondence with the Corporation."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Sibpur Engineering College.

* 29. (*a*) How many members are there in the Governing Body of the Sibpur Engineering College?

(*b*) How many are Europeans and how many are Indians?

(*c*) Are the Government considering the advisability of granting the privilege of nominating some members of the Board of the Governing Body to the passed *alumni* of the college of a certain number of years' standing?

(*d*) If not, have the Government before them any other proposal for the reconstitution of the Board with a view to giving it a more representative character?

(*e*) Is it a fact that the Principal of the Sibpur Engineering College does not take any active part in the work of instruction of the students and does not come into direct contact with them?

(*f*) If so, are the Government taking any steps to introduce a change in this matter with a view to relieving the Principal of his routine duties to enable him to exercise greater influence over the students?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) & (*b*) The Governing Body of the Civil Engineering College, Sibpur, consists of ten members—nine Europeans and one Indian.

(*c*) & (*d*) No proposal for the reconstitution of the Governing Body is under the consideration of Government.

(*e*) The administrative duties of the Principal of the Civil Engineering College are such as to leave him very little time for actual teaching work, but he manages to see a good deal of his students in their daily occupations.

(*f*) The question of relieving the Principal of routine duties is engaging attention."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Juggernath Ghât warehouse.

* 30. (*a*) Are the Government aware that the Commissioners for the Port of Calcutta have erected a three-storied warehouse building on the river bank adjoining Juggernath Ghât?

(*b*) Are the Government also aware that the roadway in front of this building is obstructed by rows of pillars and is used for dumping goods?

(*c*) Are the Government aware that this causes great inconvenience to the Hindu population in the north of the town?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) & (*b*) The Port Commissioners have erected a warehouse near Juggernath Ghât. The western portion of the warehouse consists of two storeys. The eastern portion consists of a single storey carried on pillars, a wide public roadway running below this portion. A plan of the building has been placed in the Library. The Governor in Council understands that goods are not dumped on the roadway below the eastern portion of the warehouse, but carts which bring goods to and from the warehouse are loaded and unloaded there.

(*c*) No representation to this effect has been received by Government."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

*31. (*a*) Are the Government aware that a plan for the laying out of the area north of the Howrah Bridge was prepared in Sir Frederick Dumayne's time? Laying out of North Strand Bank.

(*b*) Are the Government aware that in this plan two 40 feet and one 75 feet roadways were provided for?

(*c*) Are the Government aware that the said plan was considered at a Conference of the representatives of the Corporation and the Port Trust in connection with the proposal to widen Strand Road?

(*d*) Is it a fact that at this Conference the prospect of opening new roads on the Strand Bank was also held out?

(*e*) Are the Government aware that a general feeling exists amongst the Hindu population of the city that the policy of that plan is now being reversed and that warehouses are being regularly constructed without any consideration to the proper lay-out of the area or to its light and ventilation?

(*f*) Will the Government be pleased to lay on the table the proceedings of that Conference and a copy of the plan of the original lay-out?

Answer by the Hon'ble MR. COWLEY :—

"(*a*), (*b*), (*c*), (*d*) & (*f*) A copy of the proceedings of a conference held on 23rd July, 1909, under the presidency of the Hon'ble Mr. Slacke, and a copy of the lay-out which was then proposed, have been placed in the Library.

(*e*) The lay-out which was contemplated by the Port Commissioners in 1909 has not been carried into effect but both in connection with the warehouse which forms the subject of question No. 30 (the plan of which was duly approved by Government) and in connection with any other warehouses which may hereafter be constructed, much consideration has been, and will be, given by the Port Commissioners to the questions of lay-out, light and ventilation. No representation on this matter has been received from the Hindu population."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

*32. (*a*) Are the Government aware that the General Committee of the Corporation requested the Port Commissioners of Calcutta to provide a promenade for the Indian community in the north of the town from Howrah Bridge as far as practicable towards Baghbazar? Proposed promenade in North Strand Bank.

(*b*) Will the Government be pleased to state when the Port Commissioners will provide such a promenade?

(*c*) Are the Government aware that the General Committee of the Corporation also requested that a portion of the reclaimed land on the river bank on the south of the Prasanno Kumar Tagore Ghât be temporarily leased to the Corporation for the purpose of providing an enclosed garden or grassy plot for the people in the northern part of the town?

(*d*) Will the Government be pleased to state what has been the result of the Corporation's representations in this matter?

(*e*) Are the Government aware that both promenade and sitting accommodation have been provided by the Port Commissioners in the southern part of the town?

(*f*) Is it not a fact that guarantees were given by Lord Dalhousie in his despatch dated the 22nd October, 1852, that lands given for the Strand Road and river frontage would be used not for building purposes but for public purposes connected with the trade, the traffic, the health and the convenience of the community?

Answer by the Hon'ble MR. COWLEY :—

"(*a*), (*b*), (*c*) & (*d*) A proposal for a river-side promenade north of Howrah Bridge has been recently under the consideration of the Improvement Trust, the Calcutta Corporation and the Port Commissioners. No agreement has yet been arrived at. If the bodies concerned ultimately fail to arrive at an agreement Government are prepared to assist them to do so.

Answer by the Hon'ble MR. COWLEY—*concluded.*

(*e*) A promenade, without seats, has been provided near Outram Ghât.

(*f*) A copy of letter No. 769, dated the 22nd October, 1852, from the Government of India, to Babu P. C. Tagore and others, has been placed in the Library."

By the Hon'ble BABU BRAJENDRA KISHOR RAY CHAUDHURI :—

Silting up of the Buriganga and the Dhaleshwari

* 33. (*a*) Are the Government aware of the difficulties that have arisen, in the western part of the Dacca district, on account of the silting up of the Buriganga and the Dhaleshwari, in the way of internal communication, sanitation, water-supply and trade facilities?

(*b*) What measures have been adopted, so far, for the removal of these difficulties and under what expert advice and supervision?

(*c*) Is there any definite and comprehensive scheme before Government for the improvement of these rivers?

(*d*) If so, under what expert advice has such a scheme been formulated?

(*e*) Will the Government be pleased to lay on the table a statement showing, year by year, the amount spent, in the last ten years, in improving the condition of these rivers and the result, generally, thereof?

Answer by the Hon'ble MR COWLEY :—

" (*a*) Yes.

(*b*) Dredging and bandelling of the shoals in both the Dhaleshwari and the Buriganga rivers have been undertaken since the year 1906-07 for the removal of the difficulties of navigation. These measures have been adopted with the advice of the officers of the Public Works Department and carried out under the supervision of the Executive Engineer, Dacca Division

(*c*) & (*d*) There is no definite and comprehensive scheme for the improvement of these rivers beyond systematic dredging and bandelling.

(*e*) The expenditure during the past 10 years, inclusive of the expenditure up to January 1917, has amounted to Rs. 4,03,088 (*vide* statement laid upon the table). The annual reports on training works show that the operations generally result in improved conditions towards the end of the winter season but are not of a permanent nature. Dredging operations have been discontinued since 1915-16."

Statement referred to in the answer by the Hon'ble MR. COWLEY *to Question No. 33 (starred) asked by the Hon'ble* BABU BRAJENDRA KISHORE RAY CHAUDHURI *at the Council Meeting of the 5th March, 1917, showing expenditure incurred on dredging and bandelling works in each season on the Dhaleshwari and Buriganga Rivers.*

Year		Expenditure incurred on		
		Dredging.	Bandelling	Total
		Rs.	Rs.	Rs.
1906-07	...	4,121	Nil	4,121
1907-08	...	34 972	Nil	34,972
1908-09	...	28,522	Nil	28,522
1909-10	...	16,290	9,958	26,248
1910-11	...	19,533	20,505	40,038
1911-12	...	22,462	20,311	42,773
1912-13	...	28,906	20,362	49,268
1913-14	...	33,371	28,829	62,200
1914-15	...	27,062	29,837	56,899
1915-16	...	Nil	29,599	29,599
1916-17 (up to end of January 1917)	...	Nil	28,448	28,448
				4,03,088

By the Hon'ble BABU BRAJENDRA KISHOR RAY CHAUDHURI :—

* 34. Provided that Government are in a position to do so, will they please make a statement giving, for the last ten years, the subdivisions or other well-defined areas, in which the death-rate has exceeded the average birth-rate of the Province, noting, in each instance, the general sanitary condition, nature of water-supply and the amount of available medical aid and the main causes of such excessive mortality? Death-rate, etc. of the Province.

Answer by the Hon'ble MR. DONALD :—

"Government are not in a position to give the information which the Hon'ble Member desires."

UNSTARRED QUESTIONS.

(The Answers to which were laid on the table.)

By the Hon'ble KUMAR SHIB SHEKHARESWAR RAY :—

1. (*a*) Are the Government aware that great inconvenience is felt by the people of Pabna on account of the low and narrow bridges and insufficient number of culverts between the stations Bhangura and Ullapara on the Sara-Serajganj Railway? Narrow bridges on the Sara-Serajgan Railway.

(*b*) Is it a fact that the rivers between the above two stations are largely used by country-boats engaged in jute and other trades?

(*c*) Is it a fact that the railway bridges between the above two stations are too low and narrow to allow boats to pass with safety under them during the rains?

(*d*) Is it a fact that some fatal accidents took place last year near those bridges, involving the loss of some lives and boats?

(*e*) Is it a fact that the drainage of the adjoining villages is seriously affected on account of the insufficient number of culverts in the railway embankment between the above two stations and that a large area in the locality has become unfit for cultivation on account of the defective drainage?

(*f*) Is it a fact that since the railway line has been constructed, serious outbreaks of malaria are of yearly occurrence in the locality?

(*g*) Are the Government considering the desirability of making an inquiry into the matters referred to in the above questions?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) & (*c*) Government have received complaints that some of the smaller culverts on the Bhangura-Ullapara section of this railway have insufficient headway, with the result that boats have sometimes to make a detour in order to pass under one of the bridges with larger headway.

(*b*) Yes.

(*d*) No fatal accidents have been reported to the local authorities.

(*e*) The information before Government is to the effect that the waterways, as distinct from the headways, are sufficient and that the drainage of the country has not been affected.

(*f*) No; the District Officer reports that the health of the locality has improved during recent years.

(*g*) The question of the headways and waterways in this stretch of line has already been carefully investigated by the Superintending Engineer and the District Officer, with the result noted above. Government represented to the Railway Board last year that the type of girder should be changed in some of the smaller bridges so as to provide greater headway for boats. As difficulty was experienced in obtaining girders of the new type, this Government consented, as a temporary measure, to the retention of the present girders, but Government are again addressing the Railway Board on the subject. The Superintending Engineer and the District Officer have also been asked to make a further investigation regarding the waterways during the rains of 1917 and to submit a report containing their final recommendations."

By the Hon'ble KUMAR SHIB SHEKHARESWAR RAY :—

Recovery of settlement costs.

II. (*a*) Will the Government be pleased to state the names of the districts where proceedings in connection with the recovery of settlement costs have been completed or are in progress?

(*b*) In these districts will the Government be pleased to state, district by district.—

(*i*) on what principle the settlement costs have been charged, *i.e.*, whether they have been charged on the quantity of land contained in each holding or on its rent or according to its valuation;

(*ii*) on what principle the costs have been apportioned between the occupancy raiyat and his immediate superior landlord;

(*iii*) how the costs have been apportioned amongst the different grades of landlords *i.e.*, revenue-payers, *pattanidars*, *darpattanidars*, etc.; and

(*iv*) whether any distinction has been made between the charges on arable and waste lands?

(*c*) In those districts where proceedings in connection with the recovery of costs have been completed or are in progress, will the Government be pleased to state, district by district.—

(*i*) what have been the net expenses of the settlement operations;

(*ii*) what amount has been contributed by the Government;

(*iii*) what amount has been estimated as recoverable costs, and

(*iv*) what has been actually recovered?

Answer by the Hon'ble MR. KERR :—

"(*a*) Recovery proceedings have been practically completed in Bakarganj, Faridpur and Jalpaiguri and the balance is being recovered by the district staff. In Dacca, Mymensingh, Rajshahi and Midnapore recovery is in progress.

(*b*) Copies of the apportionment orders have been sent to the Hon'ble Member and have been placed on the Library table: the information asked for will be found therein.

(*c*) A statement showing the information required is laid on the table."

Statement referred to by the HON'BLE MR. KERR *in his answer to Question No. II (unstarred) asked by the* HON'BLE KUMAR SHIB SHEKHARESWAR RAY *at the Council Meeting of the 5th March, 1917*

	Bakarganj.	Faridpur	Jalpaiguri.	Dacca	Mymensingh.	Rajshahi.	Midnapore.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
(1) Net expenses of the operations.	25,48,000	27,04,000	18,97,000	28,56,000	43,38,000	12,26,000	16,94,000
(2) Amount debitable to Government.	9,06,000	9,79,000	12,67,000	8,36,000	11,07,000	3,33,000	4,29,000
(3) Amount debitable to landlords and tenants.	16,42,000	17,25,000	6,30,000	20,20,000	32,31,000	8,93,000	12,65,000
(4) Amount actually recovered up to 31st December, 1916.	16,32,000	16,74,000	5,70,000	16,76,000	19,16,000	82,000	5,86,000

In the case of Rajshahi and Midnapore the figures relate only to the areas for which apportionment orders have been issued. In all cases the figures showing the "amount debitable to Government" include sums debitable to the Local Government as well as sums debitable to the Imperial Government.

By the Hon'ble BABU ARUN CHANDRA SINHA :—

III. (*a*) Are the Government aware that the inhabitants of the island of Hatiya, within the district of Noakhali, are suffering from great hardship for want of telegraphic communication with the mainland? Telegraphic communication, etc., to and from Hatiya.

(*b*) Are the Government also aware that there is no arrangement for the daily despatch of mails to and from the island of Hatiya?

(*c*) Have the Government before them any proposal to remove these grievances?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) Government are aware that there is no telegraphic communication between Hatiya and Noakhali, but are not aware that this entails great hardship on its inhabitants.

(*b*) Government are aware that at present there is no arrangement for the daily despatch of mails to and from the island of Hatiya There are two lines of steamers touching at Hatiya—

(*1*) the Ichakhali-Hatiya service, and

(*2*) the Barisal-Chittagong service

Both were daily services until August last, when owing to the River Steam Navigation Company's steamers being requisitioned for war purposes the Ichakhali-Hatiya service was converted into a tri-weekly service. Mails for Hatiya are at present carried exclusively by this service.

(*c*) It would be no advantage to send postal articles posted at Noakhali for Hatiya or *vice versâ viâ* Barisal. The Postmaster General is now considering whether an improvement can be effected as regards letters to and from other places."

By the Hon'ble MR. M ASHRAF ALI KHAN CHAUDHURI :—

IV. Will the Government be pleased to lay on the table a statement showing, office by office,— Stenographers and typists in the Bengal Secretariat.

(*i*) the number of permanent Stenographers and ordinary Typists in each of the departments of the Bengal Secretariat and its attached offices,

(*ii*) their educational qualifications,

(*iii*) their nationality;

(*iv*) what attempt, if any, has been made to appoint Muhammadan Typists to these posts, and

(*v*) how many leave and temporary vacancies occurred during the year 1916 in these posts and how many of them were filled up by Muhammadans?

Answer by the Hon'ble MR. DONALD :—

" (*i*), (*ii*), (*iii*) & (*v*) A statement showing the details required by the Hon'ble Member is laid on the table.

(*iv*) No special attempts are made to recruit Muhammadans as Stenographers and Typists. All vacancies are duly advertised and applications invited. The most suitable candidates are then selected. In the case of stenographers, their competence is judged by the Secretary or Head of the Department after actual experience of the work of the best candidate available. The Heads of offices report that there is a dearth of suitable Muhammadan candidates."

A statement referred to in the answer by the HON'BLE MR. DONALD *to Question (unstarred) asked by the* HON'BLE MR. M. ASHRAF ALI KHAN CHAUDHURI *Council Meeting of the 5th March, 1917, showing the replies of the offices a to the Secretariat to the questions proposed to be asked in the Council of March, 1917, by the* HON'BLE MR. M. ASHRAF ALI KHAN CHAUDHURI.

Names of offices.	16 (i). The number of permanent Stenographers and ordinary Typists.	16 (ii) Their educational qualifications.	16 (iii). Their nationality.	16 (v). How m and temporary occurred dur year 1916 in t and how m them were fil Muhamma
1 Political, Judicial and Appointment Departments.	3 Stenographers	2 read up to F A. Standard and 1 up to Entrance.	1 Anglo-Indian. 1 Bengali (Hindu). 1 Madrassi (Hindu).	
	10 Typists ...	1 read up to F. A., 1 passed the Entrance examination; 7 read up to the Entrance Standard and 1 who is an Anglo-Indian read up to the 7th Standard.	1 Anglo-Indian ... 7 Bengalis (Hindu). 2 Bengali (Muhammadans).	In 1916 th 8 temporar cies of whi filled up b hammadan.
2 Financial Department.	2 Stenographers	1 read up to F. A. and 1 read up to the Entrance Standard.	Bengalis (Hindu).	
	8 Typists ...	All read up to the Entrance Standard.	Ditto ...	2 temporary occurred dur none filled Muhammada
3. General Department	2 Stenographers	1 passed the Matriculation Examination. Both trained at the Commercial Institute.	Ditto	
	6 Typists ...	Have no special educational qualifications.	Ditto ...	3 leave occurred. N hammadan a
4. Revenue Department.	2 Stenographers	1 read up to I. A. and 1 Entrance Standard.	Ditto.	
	6 Typists ...	All read up to the Entrance Standard.	Ditto ...	3 leave occurred. h filled up by hammadan.
5. Public Works Department.	1 Stenographer...	No University educational qualification.	Ditto.	
	8 Typists ...	1 passed Matriculation Examination Rest have no University educational qualification.	Ditto ...	1 permanent occurred duri which was f by transfer Hindu Typis the Jessore I Division on a of his post 2 temporary filled up by Typists for months.
6. Legislative Department and Book Depôt.	1 Stenographer	No University qualification ...	Ditto.	
	4 Typists ...	Read up to the Entrance Standard.	3 Bengalis (Hindu) ... 1 Bengali (Muhammadan).	1 permanent leave occurred durin The per vacancy was f by the appoi of a Muhamm

Names of offices.	16 (i). The number of permanent Stenographers and ordinary Typists.	16 (ii). Their educational qualifications.	16 (iii). Their nationality.	16 (v). How many leave and temporary vacancies occurred during the year 1916 in these posts and how many of them were filled up by Muhammadans
Board of Revenue	1 Stenographer...	Graduate	Bengali (Hindu) ...	
	3 Typists ...	No University qualification ...	2 Bengalis (Hindu) ...	1 Temporary vacancy occurred but not filled up by a Muhammadan.
			1 Bengali (Muhammadan)	
Inspector-General of Police.	2 Stenographers	Both passed the F. A Examination.	1 Madrassi (Hindu)	
			1 Bengali (Hindu).	
	5 Typists ...	Read up to the Entrance Standard.	1 Bengali (Muhammadan).	2 leave and 1 temporary vacancies occurred, but none filled up by a Muhammadan
			4 Bengalis (Hindu).	
Director of Public Instruction	3 Stenographers	Both read up to Entrance, 1 was trained in Madras Commercial Institute and the other in London. 1 read up to Entrance Standard, 1 Passed Higher Commercial Examination in Shorthand and Typing.	1 Madrassi (Hindu)	
			1 Bengali (Hindu)	
			1 Bengali (Muhammadan)	
	7 Typists.	1 lady Typist, 1 read up to I.Sc and trained in Government Commercial Institute, 4 read up to Entrance Standard and 1 holds Madras Government Diploma in Commerce.	1 Anglo-Indian ...	4 vacancies occurred, but none filled up by a Muhammadan.
			4 Bengalis (Hindu)	
			1 Bengali (Muhammadan).	
			1 Madrassi (Hindu)	
Collector of Customs Calcutta.	2 Stenographers	1 passed F A and 1 the Middle School Examination.	1 Anglo-Indian	
			1 Bengali (Hindu)	
	6 Typists ...	1 passed Government Commercial Examination, the rest have no University educational qualifications	1 Bengali (Muhammadan).	2 leave vacancies occurred during the year, 1 was filled up by a Muhammadan
			5 Bengalis (Hindu)	
Inspector-General of Prisons.	1 Typist ...	Passed the Entrance Examination.	Bengali (Hindu) ...	No vacancies occurred.
Commissioner of Excise and Salt, Bengal.	1 Stenographer...	Passed Entrance Examination and final examination of the Commercial Institute and Government special examination in Shorthand.	Ditto	
	2 Typists ...	1 read up to Entrance and 1 passed I A	Ditto ...	2 temporary vacancies occurred but none filled up by a Muhammadan
Inspector-General of Registration.	1 Stenographer...	Read up to B. A. ..	Ditto.	
	3 Typists ...	1 passed Entrance and the rest read up to the Entrance Standard.	Ditto ...	No vacancies occurred.

By the Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI :—

V. Will the Government be pleased to state—

Lower division appointments in the Bengal Secretariat.

(*i*) the minimum qualification required for the appointment of assistants in the lower division of the Bengal Secretariat;

(*ii*) whether any Hindu assistants have been appointed since the reconstitution of Bengal in 1912, whose educational qualifications fell short of the required standard, and, if so, how many were so appointed and what were their qualifications?

(*iii*) how many Muhammadan assistants have been appointed since the modification of the partition in 1912 whose qualifications similarly fell below the required standard?

Answer by the Hon'ble MR. DONALD :—

" (*i*) The minimum qualification required for the appointment o assistants in the lower division of the Bengal Secretariat is—

(*a*) In the case of Indians—The pass certificate of the Intermediat or any higher examination of an Indian University or th Final examination of the advanced Commercial Classes.

(*b*) In the case of Europeans or Anglo-Indians—The pass certificat of the Intermediate examination of an Indian University, o the High School Pass Examination, the Senior Cambridg Local Examination, the Cambridge Senior School Certificat Examination, or the Final examination of the advanced Commercial Classes

(*ii*) Since 1912 seven Hindu assistants have been appointed whose educational qualifications fell short of the required standard. Of these, four had read up to the I.A. standard, one had passed the Entrance Examination, and two had read up to the Entrance.

(*iii*) Since 1912 four Muhammadan assistants have been appointed whose qualifications fell below the required standard These four had read up to the I.A standard "

By the Hon'ble MR. M ASHRAF ALI KHAN CHAUDHURI :—

Filling up of vacancies in the teaching staff in the Calcutta Madrassah.

VI. (*a*) Will the Government be pleased to state whether it is a fact that preference has always been given to Biharis over Bengali candidates in filling up vacancies in the teaching staff of the Anglo Persian Department of the Calcutta Madrassah?

(*b*) If the answer to clause (*a*) of the question is in the affirmative, will the Government be pleased to state whether they are considering the desirability of asking the authorities to give preference to Bengali Muhammadans of equal qualifications over non-Bengalis in filling up future vacancies in that institution?

Answer by the Hon'ble MR. HORNELL :—

" (*a*) The answer is in the negative

(*b*) The answer to the previous question being in the negative, no reply to this question is necessary."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Cost of the Fisheries Department

VII. (*a*) Will the Government be pleased to state in what proportion the salary of the Deputy Director of Fisheries and other charges of the Department of Fisheries of Bengal, Bihar and Orissa, are shared by the Government of Bihar and Orissa, and on what principle and understanding, if any, has the said proportion been fixed?

(*b*) Are there any fixed periods for which the Deputy Director and other officers of any joint staff of the department, are expected to tour and otherwise work within the jurisdiction of Bengal?

(*c*) For how many days in the year did the Deputy Director reside in Bengal since 1912; and how much touring was done by him in Bengal, and Bihar and Orissa, respectively, during these periods?

Answer by the Hon'ble MR. KERR :—

" (*a*) The expenditure is shared equally on the principle that the work of the Fishery Department is equally beneficial to the two provinces.

(*b*) No. One of the two Superintendents works principally in Bengal and the other in Bihar and Orissa.

(*c*) The headquarters of the Deputy Director are at Calcutta. The numbers of days spent on tour each year and the districts visited are mentioned in the last four annual reports, copies of which have been sent to the Hon'ble Member and placed on the Library table. To calculate the number of days spent in each Province would involve labour incommensurate with the value of the information."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

VIII. (*a*) How many attempts have been made up to date in Bengal and in Bihar for the establishment of hatcheries for *hilsa* and carp respectively, since 1912, and with what result? **Establishment of hatcheries for *hilsa* and carp.**

(*b*) Have the breeding grounds of *hilsa* been located yet? If so, where?

(*c*) How many rearing tanks have been established in Bengal, as proposed, having fish-runs in connection with main rivers, where carps may breed under natural conditions and eggs and fry can be collected and reared?

(*d*) To what extent will the recent discovery, that carps breed in tanks as well as in running water, affect this scheme?

(*e*) To what practical use is the said discovery being put by the department?

(*f*) What progress has been made in the inquiries regarding predatory fish of the larger forms, which inquiries were stated in Bulletin No. 5 of the Department of Fisheries to have " recently commenced," and where are the said inquiries being carried on?

(*g*) When does the department expect to complete its enquiries on carp and *hilsa* and predatory fish, respectively?

Answer by the Hon'ble MR. KERR :—

" (*a*) The Hon'ble Member will find full particulars in the four annual reports referred to in the reply to Question VII. It is not possible to enumerate all the attempts which are made during a period of research.

(*b*) No.

(*c*) None.

(*d*) It has not been discovered that carp breed in ordinary tanks, but that they breed in the *bandhs* described in the last year's annual report. The discovery will facilitate the breeding of carp.

(*e*) Fry will be collected and distributed from these *bandhs*. Steps have been taken to make it known in the districts in which such *bandhs* exist how they should be constructed, so that the conditions under which carp breed may be provided.

(*f*) In the Bulletin referred to by the Hon'ble Member he will see that the inquiries were carried on in Calcutta and Bankipore. The state of progress of the inquiries is described on page 4 of the last annual report.

(*g*) Government cannot say when nor in what order the inquiries referred to will be finished."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Distribution depôts for young fish and fry.

IX. (*a*) How many depôts are there in Bengal for the distribution of young fish and of fry of various kinds, and where are they situated?

(*b*) How much pure carp fry was supplied by the department for the stocking of tanks in Bengal during the last few seasons?

Answer by the Hon'ble MR. KERR :—

" (*a*) The Fishery Department collects fry from numerous places and they are delivered to the public at Writers' Buildings.

(*b*) In 1916, 419,500 fry were supplied by the Fishery Department for stocking tanks in Bengal; the Department makes every endeavour to secure the purity of carp fry, but it is not possible to give an absolute guarantee of purity."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

The Fishery Board.

X. What is the constitution of the Fishery Board, and what are its functions and powers?

Answer by the Hon'ble MR. KERR :—

" The names of the members of the Fishery Board will be found on page 386 of the Bengal Civil List of January, 1917. Its functions are advisory; it has no statutory powers."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Co-operative Societies for fishermen.

XI. How many Co-operative Societies have been formed among the fishermen of Bengal at the instance of the Fishery Department and for fishery purposes, and in what districts?

Answer by the Hon'ble MR. KERR :—

" Three. They are in the districts of Murshidabad, Tippera and Malda."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

eforms in ie methods settling overnment heries.

XII. (*a*) What are the specific recommendations made by Mr. Southwell about bringing about certain reforms in the methods of settling Government fisheries, an outline of which has been given in the recent report of the Department of Agriculture?

(*b*) Have the Government come to any decision with regard to them?

Answer by the Hon'ble MR. KERR :—

" (*a*) & (*b*) The recommendations made by Mr. Southwell and the decision of Government thereon are specifically enumerated in paragraph 22 of the Report of the Agricultural Department for the year ending June 30, 1916, a copy of which has been placed on the Library table."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

mber and ome from, vernment eries.

XIII. (*a*) What is the number of fisheries owned by Government, and what is the income derived therefrom?

(*b*) When are they generally given in settlement and for what periods?

Answer by the Hon'ble MR. KERR :—

" (*a*) Government own 99 fisheries: the annual income derived from them by Government is about Rs. 35,000.

(*b*) Settlements are generally made with effect from April 1st, and the periods vary from one to five years."

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

XIV. (*a*) Have the Government received information that the people of the subdivision of Munshiganj, in the district of Dacca, experience much difficulty owing to the want of good communications? **Want of communications in Munshiganj.**

(*b*) Is it a fact that the Dacca District Board have under consideration the question of re-excavating the Taltola-Srinagar, Taltola-Lohajang, Shekharnagar-Lohajang *via* Srinagar khals?

(*c*) Will the Government be pleased to lay on the table all papers and correspondence relating to the matter?

Answer by the Hon'ble MR. COWLEY :—

"This matter was considered by the District Board of Dacca on 1st May, 1916. A copy of the Board's resolution, of the papers which were considered by the Board, and of the subsequent correspondence with Government, has been supplied to the Hon'ble Member. He will see that the matter is receiving attention both from the local authorities and from Government."

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

XV. (*a*) Will the Government be pleased to state whether any improvement has been effected in the course of the Dhaleshwari river by the dredging operations that have been in progress for some time past? **Dredging operations in the Dhaleshwari.**

(*b*) Will the Government be pleased to make a full statement on the subject?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) The dredging operations have been of some use.

(*b*) Copies of the printed annual reports from 1912-13 to 1915-16 have been supplied to the Hon'ble Member."

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

XVI. (*a*) Will the Government be pleased to state whether there is a Committee in existence in Bengal called the Standing Waterways Committee? **The Standing Waterways Committee.**

(*b*) If so, will the Government be pleased to state the scope and constitution of the said Committee?

(*c*) If the answer to clause (*a*) of this question be in the affirmative, will the Government also be pleased to state whether they are considering the desirability of publishing this Committee's report?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) & (*b*) The Hon'ble Member is referred to the answer given to the Hon'ble Babu Surendra Nath Banerji at the meeting of this Council on 24th February, 1914. The Committee is now constituted as follows :—

President.

The Member of the Executive Council in charge of the Public Works Department portfolio.

Members.

1. The Chief Engineer to the Government of Bengal, Irrigation Department.
2. An official member nominated by Government to advise the Committee regarding financial matters.

Answer by the Hon'ble MR. COWLEY:—*concluded.*

3. The Superintending Engineer, South-Western Circle.
4. A representative of railway interests nominated by Government.
5. The Vice-Chairman, Port Commissioners, Calcutta.
6. A member nominated by the Bengal Chamber of Commerce.
7. A member nominated by the Bengal National Chamber of Commerce.
8. A member to represent the commercial interests of Eastern Bengal, nominated by the Narayanganj Chamber of Commerce.
9. A member nominated by the Managing Agents of the India General Navigation and Railway Company and the Agents of the Rivers Steam Navigation Company, acting jointly.

The Government of Bihar and Orissa and the Administration of Assam are also asked to assist the Committee, when occasion arises, by deputing their Chief Engineers to advise the Committee upon such matters as may come under its consideration, which directly affect the waterways situated in those provinces.

(*c*) The answer is in the negative."

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

Promotions in the Provincial Judicial Service.

XVII. (*a*) Are the Government aware that a general letter has been issued by the Hon'ble High Court to all the District Judges of Bengal on the subject of rules regarding the promotion of the members of the Provincial Judicial Service?

(*b*) Is it a fact that special reports are being called for from the District Judges even in the matter of promotions and confirmations from the lowest grade of the Provincial Judicial Service?

(*c*) If so, are the Government aware that this contravenes the principle laid down in the Home Department Resolution Nos. 1046-58, dated the 19th August, 1910, which specifically lays down that special reports should only be called for regarding promotions in the grade of Rs. 500 and upwards?

(*d*) Are the Government aware that there is a widespread feeling of anxiety amongst the members of the Provincial Judicial Service below the grade of Rs. 500 on account of the procedure recently adopted by the Hon'ble High Court in the matter of promotions and confirmations in those grades?

(*e*) Are the Government considering the desirability of making an inquiry as to whether any supersession has resulted as a consequence of the procedure adopted by the Hon'ble High Court, and, if so, whether the officer or officers concerned were given any opportunity of explanation?

Answer by the Hon'ble MR. KERR :—

" (*a*) Yes. A copy of the letter was laid on the table at the meeting of this Council held on the 13th December, 1916.

(*b*) Government have no information.

(*c*) No such principle was laid down in the Resolution referred to.

(*d*) & (*e*) The answer is in the negative."

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

xcavation tanks in e Dacca ivision.

XVIII. Will the Government be pleased to state how many tanks have been excavated or re-excavated by or with the help of the District Boards in the Dacca Division, during the last year, and where they are situated?

Answer by the Hon'ble MR. DONALD :—

" A statement is laid on the table."

Statement referred to in the answer by the HON'BLE MR. DONALD ***to Question No. XVIII (unstarred) asked at the meeting of Council on the 5th March, 1917, showing the number of tanks excavated or re-excavated, during the year 1915-16, by or with the help of District Boards in the Dacca Division, and where they are situated.***

	Where situated.	Number of tanks excavated or re-excavated.	Remarks.
DACCA DIVISION.	*Dacca District.*		
	Sadar Subdivision ...	4	
	Munshiganj ,, ...	5	
	Manikganj ,, ...	2	
	Total ...	11*	* Besides these, the excavations from which earth was taken for raising the sites of two dispensaries in the Sadar subdivision, one dispensary in the Munshiganj subdivision, and two dispensaries and one inspection bungalow in the Manikganj subdivision, have been turned into small tanks, and the water is being used for drinking and other domestic purposes.
	Mymensingh District.		
	Jamalpur Subdivision ...	.....	
	Sadar ,, ...	1	
	Netrakona ,, ...	11	
	Tangail ,, ...	2	
	Kishoreganj ,, ...	3	
	Total ..	17†	† Of these, 2 were completed during the year, and work was in progress in the remainder: 10 tanks were also repaired during 1915-16.
	Faridpur District.		
	Sadar Subdivision ...	14	
	Goalundo ,, ...	21	
	Madaripur ,, ...	7	
	Gopalganj ,, ...	14	
	Total ...	56	
	Bakarganj District.		
	Sadar Subdivision ..	2	
	Perojpur ,, ...	5	
	Patuakhali ,,	4	
	Total ...	11	
	GRAND TOTAL ...	95	

By the Hon'ble MR. H. R. A. IRWIN :—

Supply of coal for the Tea Industry.

XIX. (*a*) Are the Government aware of the fear that exists on many tea estates in Northern Bengal of impending dislocation of business in the manufacture of tea due to the insufficient supplies of coal?

(*b*) Will the Government be pleased to state what action, if any, they are taking to accelerate supplies of coal for the tea industry?

Answer by the Hon'ble MR. DONALD :—

" Government are aware that difficulties exist at present in regard to the supply of coal to Tea Estates in Northern Bengal. They understand that the matter is being dealt with by the 'Committee to regulate coal supplies,' in consultation with the Indian Tea Association. That Committee have passed several indents for coal required for the industry, but are unable to say when wagons will be available to comply with these indents. It would assist the Committee if the Planters' Associations forwarded to them a statement showing the order of urgency and the time at which supplies are required."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

irths and aths in engal.

XX. Will the Government be pleased to state the total number of births and deaths in Bengal during the last five years and also the annual birth-rate and death-rate during the same period?

Answer by the Hon'ble MR. DONALD :—

" A statement is laid on the table."

Statement referred to by the HON'BLE MR. DONALD *in his answer to Question No.* XX *(unstarred) asked by the* HON'BLE RAI RADHA CHARAN PAL BAHADUR *at the Council Meeting of the 5th March, 1917.*

Year.	Total births.	Total deaths.	Ratio of births per *mille* of population.	Ratio of deaths per *mille* of population.
1915	1,441,628	1,488,567	31·80	32·83
1914	1,535,281	1,431,289	33·86	31·57
1913	1,529,921	1,331,868	33·75	29·38
1912	1,600,335	1,349,779	35·30	29·77
1911	1,585,187	1,221,580	34·97	26·94

By the Hon'ble MAULVI ABUL KASEM :—

t of a -crossing on the lel- arwa on of East an Railway.

XXI. (*a*) Are the Government aware that great inconvenience is being felt by the residents of villages Benga and Nopara, and other villages, in thana Katwa, in the district of Burdwan, for the want of a level-crossing gate at mile 84-2 on the Bandel-Barharwa section of the East Indian Railway?

(*b*) Are the Government aware that the people of these villages have agricultural lands on the other side of the railway line, and are compelled to leave the lands practically uncultivated for the want of a level-crossing gate at the place referred to?

(*c*) Are the Government aware that the pathway made for them by the East Indian Railway is practically useless as the cultivators are unable to take their carts over it?

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By the Hon'ble MAULVI ABUL KASEM—*concluded.*

(*d*) Are the Government also aware that the use of the said pathway involves the carrying of paddy and manure between the fields and the villages for over a distance of six miles?

(*e*) Is it a fact that the Subdivisional Magistrate of Katwa held an inquiry into the grievances of the people of the said villages?

(*f*) If so, will the Government be pleased to lay on the table a copy of his report?

Answer by the Hon'ble MR. COWLEY :—

" The East Indian Railway authorities have arranged to provide a level-crossing at mile 84-2 in place of that at mile 84-8."

LIST OF BUSINESS—ITEM No. 3.

THE AMENDED DRAFT FINANCIAL STATEMENT.*

The Hon'ble Mr. Beatson Bell presented the Amended Draft Financial Statement for Bengal for 1917-18 :—

He said :—" My Lord, I have the honour to present the amended Draft Financial Statement for 1917-18. This statement has been drawn up at considerable length and a copy has been furnished to every Member of the House. Along with each copy I sent a memorandum dated 24th February. Members have, therefore, no doubt studied the Budget in considerable detail and it is unnecessary that I should go over it again at this stage. Suffice it to say that it is once more a War Budget, prepared on strictly economical lines. The House will remember that the principle which was laid down last year was that our total expenditure should not exceed our total income. This year the same general principle has been adopted, but the Government of India have allowed us to be a little more liberal than in the previous year. In other words, they have allowed our expenditure to exceed our income by a little more than nine lakhs. That is the main outline of the Budget and in the course of this day's sitting different official members will explain in more detail the various heads of the Budget.

I must, however, draw the attention of the House to the further memorandum which I circulated on the 3rd March. This memorandum contained certain corrections and additions which have been inserted under the orders of the Government of India. One important addition, will, I am sure, be welcomed by Members on both sides of the House. The Government of India have made a recurring Imperial assignment of nine lakhs for the improvement of the pay and training of teachers. With these few words, I beg to present the Budget for the consideration of the House."

The Hon'ble MR. BEATSON BELL then introduced the following heads :—

Revenue—
I.—Land-revenue.

Expenditure—
3. Land-revenue.

Revenue—
V.—Excise.

Expenditure—
7. Excise.
18. General Administration.

* Not printed in these Proceedings

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Revenue—
XVIII.—Ports and Pilotage.

Expenditure—
21. Ports and Pilotage.
6. Stamps.
10. Income-tax.

Revenue—
XII.—Interest.

Expenditure—
1. Refunds and drawbacks.

Revenue—
IX.—Forests.

Expenditure—
11. Forests.

Revenue—
XXIA.—Agriculture.

Expenditure—
26A. Agriculture.

Revenue—
XXIB.—Scientific and Miscellaneous Departments.

Expenditure—
26B. Scientific and Miscellaneous Departments.

Revenue—
XXII.—Receipts in aid of superannuation, etc.

Expenditure—
29. Superannuation allowance.

Revenue—
XXIII.—Stationery and Printing.

Expenditure—
30. Stationery and Printing.

Revenue—
XXV.—Miscellaneous.

Expenditure—
32. Miscellaneous.

He said :—

"In my financial capacity I have already placed the Draft Financial Statement in the hands of every Member. That statement is, I hope fairly

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full and clear. It now falls to me in my administrative capacity to introduce certain heads of the Budget. Naturally I have little to add to what I have already placed before the House. I begin with "Land Revenue." The current year has been more favourable than we anticipated. Good harvests and the prosperous condition of the jute trade stimulated collections, and we expect to exceed the provincial estimate of receipts by Rs. 2,73,000. The expenditure under land revenue has been larger than we estimated, and we have provided for an increase of Rs. 44,000. In view of the favourable conditions now prevailing we anticipate an increase of Rs. 3,43,000 in our provincial land revenue receipts in the next year, and we have also provided for an increased expenditure of Rs. 1,05,000 on certain much-needed reforms and improvements.

Major surveys and settlements are hardly within the scope of this Council. The Imperial Government bears the cost and the Imperial Government receives the income I must, however, say a few words for the information of the House. Owing to the financial situation which arose from the war we postponed, with great regret, the operations in Bankura and Jessore. This threw many deserving men out of work. The fate of these men was the subject of a special resolution of this House. We have done what we could for them, but many of them are still unemployed and are suffering great hardship. If the operations in Jessore and Bankura remain still longer in abeyance the situation will be further aggravated, for an additional batch of men, now working in Rajshahi, will be thrown out of employment. Moreover, it would be hard for the people of Jessore and Bankura that the boon of a record-of-rights should be again delayed to them. Fortunately, the general financial situation of the survey and settlement operations is such that we have felt justified in resuming the work in Jessore and Bankura and in beginning some traverse survey in Nadia. In spite of these new operations we estimate that in the year 1917-18 the major survey and settlement operations will bring in an income of Rs. 27,50,000 against an expenditure of Rs. 21,31,000. In other words, the Government of India will receive from these departments a satisfactory surplus of more than 6 lakhs. I should add, however, that even after the new operations, which I have just indicated, have been undertaken, the Survey and Settlement Departments will by no means be working at their full strength. The work in progress will be about three-fourths of what it would have been in normal circumstances.

As regards Excise, the actual receipts in 1915-16 amounted to Rs. 1,51,40,074 against Rs. 1,50,00,000 anticipated last year. The revised estimate was based on ten months' actuals, but there was an increased consumption of country spirit in the last quarter of the year, and this accounts for the increase in excise revenue in 1915-16. The large decrease in consumption for 1914-15 noticed last year continued generally, country spirit showed a further falling off of 52,799 proof gallons, and ganja and opium of 446 and 266 maunds, respectively, in 1915-16, as compared with the preceding year.

The sanctioned estimate of revenue for 1916-17 was Rs. 1,50,50,000, but it has been reduced to Rs. 1,47,00,000 in view of the continued decrease in the consumption of country spirit and opium during the first ten months of the current year, namely, 24,474 gallons in country spirit and 5,532 seers in opium. The consumption of ganja increased, however, by 76 seers during the same period, the increase occurring in January last. The estimate for next year has been placed at Rs. 1,48,00,000, providing for an increase of 1 lakh over the revised estimate for the current year. The excise settlements already made in the several districts point to an increase of revenue of about Rs. 2,48,000 over the current year's settlements, but if war continues and the economic condition of the people shows no improvement the full increase may not be realised.

As for expenditure, the only thing to notice is the appointment of the second Deputy Commissioner of Excise and Salt. Since the reorganisation

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of the Excise Department was carried out only one Deputy Commissioner of Excise and Salt out of the two sanctioned in the scheme had been appointed. He had been supervising the preventive work in the districts as well as the work of the Excise Intelligence Bureau. He has also been doing some of the work of the Collector of Excise, Calcutta. Recently it became very difficult for one officer to cope with all these duties, and a second Deputy Commissioner of Excise and Salt had, therefore, to be appointed for the Dacca, Chittagong and Rajshahi Divisions. The necessary provision for this officer has been made in the budget estimate for the next year.

As regards the expenditure head of General Administration, I have nothing to add to the explanations contained in the Financial Statement.

As regards Ports and Pilotage there is also little to be said. The war has caused a further shrinkage both in receipts and in expenditure. The grant of 1½ lakhs to Chittagong Port is being continued in the coming year. This, however, will be the last year of the existing five years' arrangement.

As regards Stamps, I have again nothing to add to what is contained in the Financial Statement.

As for Income-Tax expenditure, I would explain that the figures represent the cost of establishment for the collection of the tax. In consequence of the introduction of the new Income Tax Act, V of 1916, it was found necessary to appoint an Assistant Collector, one Assessor, 10 Clerks and certain menials to cope with the increase of work in the Calcutta Income Tax Office from the middle of the year. Provision has been made for the retention of the Assistant Collector and the additional establishment for the whole of the year 1917-18.

Turning to the Interest Budget this represents for the most part the loan transactions of the Local Government. We borrow money from the Imperial Government and re-lend it under the Land Improvement and the Agriculturists' Loans Act to Co-operative Societies, on drainage and embankment advances to land-holders and notabilities and to mufassal Municipalities and District Boards. The receipts represent the interest we recover. The figures are shown in paragraph 20 of the Financial Statement.

Refunds and drawbacks occur in the different departments and the details are shown at page 47 of the Financial Statement. We budget on the basis of the average actuals of the past three years, excluding special payments.

I now deal with "Forests"—The revised estimates of receipts for the current year have been raised from 11½ lakhs to 12⅔ lakhs. This increase is mainly due to larger sales of timber in the Sundarbans where exploitation has been resumed and in Buxa where timber was left unsold in the preceding year. For next year we have estimated a revenue of 13 lakhs which allows for a moderate increase in sales owing to anticipated improvement in the timber market. On the expenditure side economy has been observed by the curtailment under communications and improvement and extension of forests, with the result that the current year's sanctioned estimate has been reduced by Rs. 64,000. The estimate of expenditure for 1917-18 is Rs. 6,52,000. This provides for preparation of a working plan for the Kurseong forests and larger expenditure on communications and buildings.

Turning to the Budget of the Agricultural and Veterinary Departments no explanation is called for as to the receipts, which are not of much importance. The estimates for the current and next years have been based on the actuals of the first eight months of 1916-17. On the expenditure side of the Budget under these heads Rs. 11,29,000 was provided for the current year, but this has been reduced to 11 lakhs in the revised estimate. The decrease is due to larger recoveries on account of pay of Veterinary Assistants contributed by local bodies. The estimate for 1917-18 is Rs. 12,26,000, which provides for the normal work of the Agricultural and Veterinary Departments, while provision has been made for the expansion of the Co-operative Department on a small scale.

Surgeon General Edwards.

Under the head "Scientific and Miscellaneous Departments" the estimate of receipts has been raised from Rs. 5,22,000 to Rs. 7,50,000. The increase is due to larger supplies of quinine to the Military and other Departments: this is expected to give us over 2¼ lakhs. For 1917-18 the estimate of receipts is Rs. 7,81,000. The revised estimate of expenditure under this head for the current year shows a reduction of Rs. 1,81,000 on the sanctioned estimate, owing to non-utilisation of the grants for the Director of Industries and for the development of industries. This, of course, is due to the presence of the Industrial Commission. The estimate of Rs. 5,83,000 for next year provides for the necessary development of the Cinchona Department and for grants to the Dacca and Darjeeling Museums.

The famine expenditure in Bankura during the current year amounted to Rs. 7,15,000. Of this sum Rs. 4,20,000 stood at the credit of this province during the current year under the Famine Insurance Scheme, and the Provincial share will amount to Rs. 1,48,000, being half of the remainder. The Secretary of State has recently sanctioned a new scheme under which famine expenditure will in future be shared by the Imperial and Provincial Governments in the proportion of ¾ths and ¼th, respectively. This scheme will take effect from 1st April, 1917.

In the Superannuation Budget the receipts represent the contributions paid by the different officers lent to foreign services and for the management of private estates. The charges represent pensions and gratuities which rise year by year with the increase in the number of claims to pensions, provision being made with reference to the average increase in the past years.

There is nothing special in the figures under Stationery and Printing to which I need draw attention. The Branch Secretariat Press has now vacated the buildings of the Military Accounts Department in Koila Ghat Street and occupies offices at Sealdah. This did not entail much additional expenditure.

Finally, as regards miscellaneous receipts and charges I have little to add to the explanation given in the Financial Statement. Owing to famine relief works in Bankura Rs. 90,000 is expected to be realised from the sale of *khud* rice and from manufactures by the weavers under relief in 1916-17, and the revised estimate of receipts has been raised from Rs. 6,52,000 to Rs. 7,37,000. No such receipts can be anticipated in 1917-18, and the Budget for that year is Rs. 6,58,000.

On the expenditure side we have provided 1 lakh for gratuitous relief in any district which may suffer owing to flood or other causes. The question of raising the pay of the menials of the several departments of Government both for Calcutta and the mufassal is under consideration, and the Government of India have been addressed on the subject. But we cannot expect to give effect to any scheme of this kind before the conclusion of the war. In the current year about Rs. 3,78,400 was spent on the payment of grain compensation allowance, and a provision of 4 lakhs has been made for the same account in the Budget for 1917-18."

LIST OF BUSINESS—ITEM No. 5.

The Hon'ble SURGEON GENERAL EDWARDS introduced the following heads:—

REVENUE—

XX—Medical.

EXPENDITURE—

24—Medical.

He said:—

"MY LORD, we have at the present moment 35 Indian Medical Service Officers, 3 Civil Assistant Surgeons, 28 Military Assistant Surgeons and 69

Mr. Cowley.

Sub-Assistant Surgeons at the Front and on Military duty. In spite of the absence of so many of our Medical Officers the work of our Medical Department is being carried on fairly satisfactorily, with the help of temporarily enlisted men. I may add here that although only two Sub-Assistant Surgeons volunteered for active service from Bengal, sixteen more have so volunteered since going to military duty in India, and one man has volunteered for active service in the Frontier of India.

Work on the Ranchi Lunatic Asylum has been resumed and we now hear that it may be ready for Europeans during the next cold weather. When it is ready the present Asylum at Bhowanipur must be entirely pulled down, and rebuilt as an "under observation" Hospital for mental cases. At present we have no such place for Indian patients and the need of such an Hospital is very urgently felt. I propose allotting 15 beds for Indian, 5 for European "under observation" cases and 10 beds for cases of lunacy, suitable for clinical material.

The improvements spoken of last year have been carried out in the Dacca and Berhampore Asylums.

The opening of the Tropical School must be postponed until after the war, when we also hope to complete the East wing, this will contain an out-patient department.

To make room for this extension the present morgue, so long condemned, must be moved.

Plans and specifications are being prepared for a new and up-to-date morgue with a small mortuary chapel ; a suitable site has been obtained.

We have had no money from Government for building the new Eye Hospital so very urgently required and we must continue to wait for this. I am glad to say though that 3 lakhs have been allotted this year to a still more urgent requirement and that is a barrack for Medical College Hospital servants. The building of this will put an end to a very grave scandal.

The Belgachia Medical College is in course of construction and we are likely to be called on this year to redeem a part of the promise made regarding it.

During the past year the students of the Campbell and Dacca Schools have been increased from 300 and 200 respectively to 350 and 250. A scheme is now before Government to increase them to 500 and 400, respectively.

The re-building of the Dacca Mitford Hospital is progressing most satisfactorily and has made great progress under the able management of Colonel Newman, Civil Surgeon.

Owing to the generosity of Mr. Baldeo Das Birla, we are this year to have an open air Consumption Ward on the roof of the Medical College Hospital, this will cost Rs. 50,000 and will fill a very urgent need. The open air wards in the Presidency General Hospital have been used as ordinary wards during quadrennial repairs and have proved a complete success ; the Medical College Hospital wards will be on the same plan. I may add that, this Rs. 50,000 is in addition to Rs. 50,000 given by Mr. Baldeo Das Birla to the Tropical School.

I have nothing further of note to call attention to."

LIST OF BUSINESS—ITEM No. 6.

The Hon'ble MR. COWLEY introduced the following heads :—

REVENUE—

XXIX—Irrigation—Major Works.

EXPENDITURE—

42—Irrigation—Major Works (Working Expenses).

Mr. Cowley.

REVENUE—

XXX—Minor Works and Navigation.

EXPENDITURE—

43—Minor Works and Navigation.

REVENUE—

XXXI—Civil Works in charge of the Public Works Department.

EXPENDITURE—

45—Civil Works in charge of the Public Works Department.

He said :—

"MY LORD, I have the honour to introduce for the consideration of Council the Public Works heads of the Budget entitled Irrigation Major Works. XXIX—Receipts and 42—Expenditure and Minor Works and Navigation XXX—Receipts and 43—Expenditure. The Major Works with which we have to deal in this Presidency, as at present constituted, are the Midnapore and Hijli Tidal Canals ; the latter is for navigation only, while the former provides for both irrigation and navigation. The receipts of the current year are expected to be somewhat better than the Budget by Rs. 33,000 owing to the increase in the area under lease from the Midnapore Canal. As, however, the area under lease is not likely to remain the same during the year 1917-18 the Budget for 1917-18 shows a decrease as compared with the revised estimate for 1916-17. Owing to railway competition the navigation receipts from these canals have not improved. There has been no increase in the expenditure of the current year as compared with the expenditure of 1915-16 and none is anticipated during 1917-18. I now turn to the heading "Minor Works and Navigation" which is more important in its effect upon Provincial revenues. The chief sources of revenue under this head are the tolls received from navigation on the Calcutta canals, the Sundarbans route and the Madaripur Bhil route which together form the navigable route for boats and inland steamers between Calcutta and Eastern Bengal. In this respect I have nothing to add to the statements which have been made in paragraph 34 of the Amended Draft Financial Statement. The current year's revised estimate of expenditure under Minor Works and Navigation remains practically the same as the Budget provision. For the year 1917-18 a total provision of Rs. 22,41,000 has been made and in this connection I have nothing to add to the statements which have been made in paragraph 64 of the Amended Draft Financial Statement.

I have also to introduce for the consideration of the Council the Budget for *Civil Works in charge of the Public Works Department.*

I have nothing to add to the statements which have been made under this head on pages 3, 4, 15, 28 and 29 of the Amended Draft Financial Statement.

Paragraph 65 on pages 28 and 29 deals with the expenditure in this and the coming year. The decrease of Rs. 1,52,000 under Establishment in the revised Budget of expenditure for this year is due partly to an increase in the receipts from the Government of India as contribution towards the establishment employed on Imperial Works and partly to saving on account of officers on Foreign and Military Service.

For the coming year, after providing for establishment and repairs and for the completion of works which will be in progress on the 1st April, there is a sum of Rs. 24,66,000 left for new minor and major works, the distribution of which is shown on pages 28 and 29 of the statement.

LIST OF BUSINESS—ITEM No. 7.

The Hon'ble MR. LYON introduced the following heads :—

REVENUE—

XVII—Police.

EXPENDITURE—

20—Police.

REVENUE—

XVI B—Jails.

EXPENDITURE—

19 B—Jails.

He said :—

"MY LORD, I have to introduce the heads Jails and Police of th Amended Financial Statement. On the subject of Jails there is very littl to be stated and I have few remarks to add to those given in the Financia Statement. The estimate for receipts is larger than any as yet made for sucl receipts in the Presidency of Bengal—the figure amounting to 11 lakhs, a compared with 7 lakhs in 1912-13. This is mainly due to continued militar requirements in the way of gunny, bandages and blankets.

The figure for expenditure stands at Rs. 28,89,000 as compared witl Rs. 19,61,832 in 1912-13. The high figures are due to a considerable increase i the number of prisoners since 1912-13, involving greater expenditure on dietar and hospital charges. There will also be large expenditure on raw material which will, however, go to swell the receipts on account of manufacture articles. There is one increase in expenditure, moreover, which should be a cause for congratulation, and that is the rise in the cost of the Warde Establishment. The improvement in the pay and prospects of the Warders was long overdue, and the extra sum now budgeted for represents an increase in pay which has been well earned.

Taking next the head Police, it is unnecessary to add anything to the entries made in the Financial Statement under the head of receipts.

It has been found necessary to set down a large figure for expenditure for the coming financial year on account of Police charges, the total being Rs. 1,34,38,000, as compared with a revised estimate of Rs. 1,12,27,000 in 1916-17 and an estimate of Rs. 83,99,859 in 1912-13.

The estimates for new schemes in connection with the Police, amounting to a very considerable figure, were laid before the Finance Committee and received their unanimous approval. We may claim, I think, that this result was due to the grave necessities of the Force and the moderation of the estimates presented as compared with those necessities.

A considerable increase in the expenditure on the Police Force has ong been anticipated, and although financial exigencies have delayed many eforms which will cost considerable sums of money, it has been found that here are other reforms which are of such urgent importance that it is necessary to include them even during the progress of the war. During the

Mr. Lyon.

Budget debate last year it was pointed out that the list of desirable requirements in Police administration was a very long one and would involve a very large sum of money. We have now entered in the Budget provision for a considerable increase of expenditure in order to bring the Force up to its proper strength, to improve the training of officers and men, to give them better houses and to reward more adequately those who are engaged on special duties of an arduous and dangerous nature.

In the matter of buildings you will find that the sum of 12 lakhs appears under the appropriate heading in the Public Works Budget. This sum will enable us to make a beginning in dealing with the worst cases, in which our police officers are at present housed in miserably inadequate and unhealthy buildings, and we hope to wipe off gradually our heavy arrears in this respect.

As to the other schemes, I note especially :—

(1) The estimate of Rs. 71,845 for the re-organization and revision of the Special Branch Establishment of the Calcutta Police, which deals mainly with seditious and anarchical crime in this city. Connected with this subject is the item of Rs. 30,000 for the re-organization of the Criminal Investigation Department.

(2) Further provision made for the safety of the city by the appointment of additional Sergeants at a cost of Rs. 32,236.

(3) The provision for a regular river patrol on the river Hooghly in Calcutta. This scheme is connected with the prevention of the illicit importation of arms into India, but should also prove an effective check on much of the evasion of preventive arrangements which is now believed to take place. The main portion of the item of Rs. 2,34,000 entered in the Budget is for non-recurring expenditure, which amounts to Rs. 2,11,000.

(4) The provision made for further progress in the work of re-organising the subordinate Police in Eastern Bengal, including both new works and works in progress. These two items amount to 4 lakhs of rupees, and this expenditure will be incurred in pursuance of a carefully thought out scheme which was prepared and sanctioned some years back.

(5) The re-organisation of the Howrah Town Police. This includes the policing of the towns of Howrah, Liloоah and Bally in accordance with a scheme which has been submitted to the Secretary of State. It is necessitated by the large increase in the population of these towns and the inadequacy of the present Force, which was organised to meet different circumstances, to deal with this population.

(6) The expenditure of Rs. 1,06,000 on the River Police Scheme of Eastern Bengal, which may be taken with the entry of Rs. 39,000 on account of the station boat system in the same part of the province. It seems unnecessary to review again the necessity for the improvement of the system of policing the great rivers of Eastern Bengal. The action taken in this direction has already proved extremely successful, and Government wish to persevere with the scheme until a really efficient system has been finally established.

(7) In connection with these schemes for Eastern Bengal may be mentioned the establishment of a Fifth Police Range, under a Deputy Inspector-General, which will relieve the Dacca Range and will include the districts of Faridpur, Bakarganj, Noakhali and Chittagong as well as the River Police system.

(8) The sum of Rs. 2,50,000 entered for the revision of the District Intelligence Branch Establishment. This expenditure is required in order to decentralise the work of the Intelligence Branch and to bring the district police officers, who have a larger knowledge of the local conditions of the area

within which they work, into more effective touch with the Intelligence Branch in Calcutta. It is believed that the general effect of this scheme will be to increase considerably the efficient working of this most important branch.

(9) The provision of Rs. 73,154 to raise the proportion of the ordinary reserves of Head Constables and Constables. It is hoped by means of this provision to remove what is a serious hardship to the Police Force by raising its reserve to the proper strength. The general curtailment of leave which has been the result of the inadequacy of the present reserve has caused some discontent which has interfered with the recruiting of the Force, and Government have found it impossible to do justice to their men and to provide for the leave necessitated by illness and over-work without adding largely to the existing reserves.

(10) I may refer finally to the entry of Rs. 1,37,000 as a grant for house rent to Sub-Inspectors and officers of lower rank who are entitled under the orders of the Government of India to free quarters but for whom it has not yet been found possible to provide such quarters. This is a mere act of justice to these officers and the Government hope that it will be accepted as such.

Government would have been very glad had it been possible to avoid a large increase of expenditure on Police at the present time, when it is necessary to observe economy in the administration of all departments. They feel, however, that the present circumstances of the Police Force in Bengal and the present political situation give full warrant for the expenditure which they are proposing in the coming year and the support which has been given to their proposals by the Finance Committee has confirmed their views in this respect.

This may be the last occasion upon which I shall have to refer in this Council to the general work of the Police Force of this Presidency during the period covered by your Excellency's term of Government from April, 1912, to the present date, and I desire to take this opportunity of expressing once again my own heartfelt appreciation and that of this Government of the admirable work that has been done by that Force for the maintenance of law and order in the Presidency since the repartition in 1912. They have been faced with a situation of extreme difficulty. In the midst of the work of reorganising the Force and introducing a far reaching system of reform, they have had to deal with economic distress reacting on local tranquillity, with the disturbances due to the outbreak of the war and with a revolutionary conspiracy having its ramifications in every corner of the Province.

I can claim for them not only earnest endeavour, conspicuous courage and loyalty, but also a remarkable degree of success, especially in dealing with the serious outbreak of revolutionary crime, their action against which has exposed them to very searching criticism. As evidence of their success, I would point especially to the suppression of the grave outbreak of non-political dacoities in the district of Bakarganj in 1915, and to their dealings with political crime in Bengal since their methods have had time to exercise their full weight and since, in consequence of them, they have been in constant receipt of full and accurate information concerning the inner workings of the conspiracy. While the difficulties as to the prosecution of cases in Court still continue, I can inform the Council that of the political crimes that have been committed since 1st January, 1914, the investigations of the Police have resulted in full information as to the perpetrators and the facts of over 90 per cent., while of the perpetrators the large majority are actually now under restraint. The Government cannot flatter themselves that these crimes are at an end. There are desperate men still at large, outlaws from society, and the very pressure which is being exercised upon these men may lead to the commission of further crime. But as a prominent Bengal non-official gentleman said to me the other day, people do now sleep

more comfortably in their beds, both in Calcutta and the mufassal, than they did some time back, and for the results which have actually been obtained, we all, the Government, the people and each one of us who values the good name and the fair prospects of Bengal, owe a deep debt of gratitude to the officers and men, European and Indian, of the Bengal Police."

LIST OF BUSINESS—ITEM No. 8.

The Hon'ble Mr. Hornell introduced the following heads :—

Revenue—

XIX.—Education.

Expenditure—

22. Education.

He said :—

"My Lord, I have the honour to introduce for the consideration of the Council the heads of Revenue and Expenditure in the Education Budget for the year 1917-18.

Receipts.—The Education Department being one of the spending departments of Government, the revenue side of the Budget has little interest except from the financier's point of view. In the Budget which I am presenting to the Council, there is no item of special interest or importance except the fact that the steady increase in the educational receipts has been maintained as the following figures will show :—

					Rs.
1912-13	...	Actuals	...	...	7,78,000
1913-14	...	Do.	...	...	8,11,000
1914-15	...	Do.	...	...	8,47,000
1915-16	...	Do.	...	...	8,87,000
1916-17	...	Sanctioned estimate		...	9,05,000
1917-18	...	Estimate	...	...	9,28,000

Expenditure.—Up to the year 1914-15, there was a steady growth in educational expenditure. This has now been arrested. The expenditure in 1915-16 actually showed a decline. But it is now again on the upward grade, and the Budget for the current year and the estimate for the coming year are both in excess of the expenditure figure for 1915-16 ; but both these figures are still below the expenditure figure for 1914-15. The following figures explain the situation :—

					Rs.
1911-12	...	Actuals	...	...	61,22,000
1912-13	...	Do.	...	...	73,77,000
1913-14	...	Do.	...	...	81,13,000
1914-15	...	Do.	...	...	92,07,000
1915-16	...	Do.	...	...	84,78,000
1916-17	...	Sanctioned budget		...	88,30,000
1917-18	...	Estimate	...	...	89,13,000

Mr. Hornell.

The estimate under review shows an increase of Rs. 83,000 over the sanctioned Budget estimate for the current year. The increase is distributed as follows :—

	Increase over 1916-17 sanctioned Budget	Decrease.
	Rs.	Rs.
University	No change	.....
Direction	5,000	.....
Inspection	1,000	.....
Government Colleges, General ...	14,000	.....
Ditto Provincial ...	.....	2,000
Government Schools, General ...	40,000	.....
Ditto Special ...	.....	14,000
Grants-in-aid	96,000	.....
Scholarships	16,000	.....
Miscellaneous	2,000	.....
Refunds	1,000	.....
Expenditure from non-recurring assignment of 75 lakhs	.....	31,000
Recurring grant for Dacca University and Hostels	.....	45,000
	1,75,000	92,000

The total increase is, therefore, Rs. 83,000.

The Financial Statement explains the increase and the decrease in detail and it is unnecessary for me to take up the time of the Council by repeating the explanation. I will do no more than state briefly a few outstanding features of the estimate for the year in prospect :—

(*a*) A provision of Rs. 21,072 has been made for the provincialisation of the High Schools at Bhola, Jhalakati, Pirojpur and Jamalpur. These schools were temporarily taken over by the late Government of Eastern Bengal and Assam. It is now proposed to bring them permanently under the direct management of Government. The provision represents the additional recurring charge that Government will have to incur in order to bring the schools into line with other Government High Schools. A large sum of about Rs. 5 lakhs will also eventually be required for new buildings for these schools, but under present financial conditions it has not been found possible to make any provision for this non-recurring expenditure.

(*b*) As in the current year, provision for the Hastings House School has been included under "Government Schools, General"—"High Schools for Boys." This is not a new charge.

(*c*) A provision of Rs. 25,000 has been included under "Grants-in-aid" for grants to Madrassahs adopting the reformed course. The cost of introducing the Reformed Madrassah scheme was calculated to be about Rs. 1,33,000. The whole amount was not required at once for the scheme was to be worked up to gradually. A start was made with Rs. 60,000, and for two years this sum sufficed. A stage has now been reached at which we must have more money to carry on the scheme. Otherwise the whole scheme must die. An additional sum of Rs. 25,000 has therefore been provided to enable us to continue the scheme.

I now turn to the Budget allotments which have been made from the perial assignments. There is nothing to comment on as regards the curring grants These have, all been provided in full with the exception those which were assigned to the Dacca University. A short explanation however, necessary in regard to the allotments made out of the unspent lances of the non-recurring grants. A total provision of Rs. 3,79,000 has en made against all the non-recurring Imperial grants, *viz.*, Rs. 40,000 der "Expenditure from the non-recurring grant of Rs. 75 lakhs (1912-13)" d Rs. 3,39,000 under "Grants-in-aid." The sum of Rs. 40,000 is intended

to cover the cost of constructing servants' quarters, etc., in connection the Bethune College. The sum of Rs. 3,39,000 represents a contrib towards the cost of the construction of undergraduates' hostels attach private colleges in Calcutta, and represents the final portion of the uns balance of Rs. 3,50,000, which latter amount, as I stated in March last this Government undertook to pay if necessary to the University of Calc in supplement of the Imperial grant of Rs. 10,00,000 made by the Governi direct to that body for the purpose to which I have just referred."

In this connection, I may, in passing, refer to the grant of 9 lakl rupees, made by the Government of India for improving the pay and train of teachers. This is not shown under head 22 in the Amended D Financial Statement."

LIST OF BUSINESS—ITEM No. 9.

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA introduced the follow heads :—

EXPENDITURE—

19A.—Courts of Law.

24.—Sanitation.

REVENUE—

XXXI—Civil Works in charge of Civil Officers.

EXPENDITURE—

45.—Civil Works in charge of Civil Officers.

He said :—

"My Lord, I rise to introduce the figures relating to Courts of Law.

The total Budget estimate for 1916-17 was Rs. 1,00,20,000, but th revised estimate has been reduced to Rs. 99,38,000 with reference to th actual charges of the first nine months of the year. The decrease is chiefly due to smaller payment of fees to pleaders in connection with criminal cases and partly to the diminished expenditure under the heads "Contingencies of Civil and Sessions Courts" and the "Defence of India Act."

The total expenditure for 1917-18 has been estimated at Rs. 1,01,57,000. This includes a provision of Rs. 9,600 for three shorthand-writers in the High Court. The introduction, as an experimental measure for a period of one year, of the scheme for the employment of shorthand-writers in one Court on the Original Side has recently been sanctioned by the Government of India. The number of shorthand-writers has been fixed by the High Court at three, having regard to the fact that it takes three times as long to transcribe a shorthand note as it does to record the note. Provision has also been made for the revision of the establishments of the Original and Appellate Sides of the High Court, and the Receiver's Office establishment. Additional provision has further been made for the Additional Legal Remembrancer and his establishment, for a larger grant for fees to pleaders in criminal cases in the mufassal, and for increased charges under the Defence of India Act.

It has not been found possible to make provision in the Provincial Civil Works Budget for the year 1917-18 for any new Judicial Major Works, but a sum of Rs. 15,000 has been provided in the Budget for Judicial Minor Works.

EXPENDITURE—

24.—Sanitation.

Rai Priya Nath Mukharji Bahadur.

I have also the honour to introduce for the consideration of Council figures relating to Sanitation.

The expenditure for the current year was originally estimatec Rs. 5,53,000 and has now been reduced to Rs. 5,15,000 owing principall; the surrender of sums not required for works of immediate and impera necessity. The chief items of expenditure which have been sanctic during the current year from the grants for sanitary improvements shown in paragraph 54 of the draft Financial Statement. A beginning been made with four experimental schemes designed by Dr. Bentley the prevention of malaria, two of which are to be financed from a spe grant of Rs. 50,000 from the Indian Research Fund.

As regards the Budget estimate for next year, I may explain that ur the orders of the Government of India, sanitation has been made a sepa major head in the Budget in order that the public may be able to find rea the provision proposed and the expenditure incurred on this important obj The estimate for 1917-18 amounts to Rs. 5,98,000 or Rs. 84,000 more t the sum provided in the revised estimate for the current year. Altoget 2½ lakhs have been provided for works of sanitary improvements, and hoped that it would be possible to complete the schemes of Dr. Bentle which I have already referred, and that they will enable a substar advance to be made in the anti-malarial campaign.

I beg also to introduce the figures relating to Civil Works in charge Civil Officers.

The Budget estimate of receipts for the current year was Rs. 1.59,(but in the revised estimate this has been raised to Rs. 2,71,000. ' increase is chiefly due to refunds made by Municipalities, of which Rs. 94, represents the amount refunded by the Narayanganj Municipality out c grant of 1 lakh made to it in 1914-15 for a scheme which the Munic Commissioners are at present unable to proceed with. The Budget estim for 1917-18 is the same as the original estimate for the present year.

As regards expenditure, the decrease of Rs. 3,38,000 in the revi estimate is mainly attributable to the fact that the amount put down for augmentation grants to District Boards was an overestimate. The estim for 1917-18 is Rs. 8.59,000, of which details are given in paragraph 66 of Financial Statement. These call for no comment."

LIST OF BUSINESS—ITEM No. 10.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR introduced the follow heads :—

REVENUE—

X.—Registration.

EXPENDITURE—

12.—Registration.

He said :—

"My Lord, I beg to introduce the heads of revenue and expenditure the Registration Department for the year 1917-18.

The receipts are estimated at Rs. 22 lakhs. We budgetted Rs. 20½ lak for 1916-17, but the actual receipts on the basis of the last nine months a expected to be better by Rs. 90,000, and we can reasonably estimate an exce of Rs. 60,000 for 1917-18 based on the normal growth of registration revent It is something, in these years of stress, for the department over whi I have the honour to preside to be able to present to the public revenues handsome excess of a lakh and a half. It is due partly to cultivators havir obtained very good prices for their jute, partly to the distress caused by hig

prices generally and floods and partial famine in certain districts. It is a peculiar feature of this Department that prosperity and adversity contribute almost equally towards increase in registrations. When people are well off they buy land, and when they are hard up they mortgage and sell it. In either case, registration revenue increases.

On the expenditure side, the estimates provide for Rs. 11,36,000. The sanctioned estimate for the current financial year is Rs. 27,000 loss But owing to the increase in registrations the expenditure under 'Temporary Establishment' has been larger and the current year's estimate had to be revised. The higher estimate for 1917-18 includes a provision for the opening of some new Sub-Registry Offices and a larger expenditure on temporary establishments, book-binding and other urgent items of contract contingencies. We are still in the midst of the war and we had to cut down expenditure to what is practically an almost irreducible minimum. Schemes of reform, some of which have been sanctioned, are waiting until normal conditions are restored. The Secretary of State has recently sanctioned a long deferred scheme for improving the pay and prospects of the ministerial establishments in district head-quarters and mufassal offices at a cost of Rs. 1,37,000 per annum, but this cannot be given effect to at present. The Secretary of State has also sanctioned the exemption of a number of our registering officers from the operation of the rule in the Civil Service Regulations under which their pension used to be reduced on account of over-age at the time of entry into pensionable service when the Department was re-organized in 1905. This will be given effect to immediately as the cost is not very great. It will afford a very appreciable relief to a number of deserving officers of the Department who had earned their pension after years of hard work. The important scheme of improving the cadres of District Sub-Registrars and Sub-Registrars with a view to ensuring a more rapid flow of promotion is nearing the stage of final sanction.

The Department is still very young, having only begun to exist as an organized Department of Government from the year 1905, and a great many things remain yet to be done before its needs can be reasonably met. Schemes have been prepared for providing a Central Record Room for the storage and preservation of old records and for the building of a large number of new offices and quarters for Sub-Registrars where they are urgently wanted. The equipment of Registration offices generally and the renovation and rebinding of a large quantity of valuable registration records also leave much to be desired, and though we try to make the little money that is available go as long a way as possible, I cannot but deplore that the continuance of the war necessarily curtails many of our much needed improvements.

It will be seen that the excess of receipts over expenditure gives the State a handsome surplus Rs. 10,64,000."

RESOLUTIONS.

(*Under the rules for the discussion of matters of general public interest*).

LIST OF BUSINESS—ITEM No. 11.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved the following Resolution :—

This Council recommends to the Governor in Council that steps be taken to establish Municipalities at every headquarter station of a sub-division of a district where they do not exist at present, and also at every other town and important centre of trade within a district where there exists a population of 3,000 and upwards :

Provided that the proportion of the non-agricultural population of every such area to its agricultural population is compatible with the provisions of section 10 of the Bengal Municipal Act, 1884 (Bengal Act III of 1884).

Rai Priya Nath Mukharji Bahadur.

I have also the honour to introduce for the consideration of Council t figures relating to Sanitation.

The expenditure for the current year was originally estimated Rs. 5,53,000 and has now been reduced to Rs. 5,15,000 owing principally the surrender of sums not required for works of immediate and imperati necessity. The chief items of expenditure which have been sanction during the current year from the grants for sanitary improvements a shown in paragraph 54 of the draft Financial Statement. A beginning h been made with four experimental schemes designed by Dr. Bentley f the prevention of malaria, two of which are to be financed from a speci grant of Rs. 50,000 from the Indian Research Fund.

As regards the Budget estimate for next year, I may explain that und the orders of the Government of India, sanitation has been made a separat major head in the Budget in order that the public may be able to find readil the provision proposed and the expenditure incurred on this important objec The estimate for 1917-18 amounts to Rs. 5,98,000 or Rs. 84,000 more tha the sum provided in the revised estimate for the current year. Altogethe 2½ lakhs have been provided for works of sanitary improvements, and it i hoped that it would be possible to complete the schemes of Dr. Bentley t which I have already referred, and that they will enable a substanti advance to be made in the anti-malarial campaign.

I beg also to introduce the figures relating to Civil Works in charge o Civil Officers.

The Budget estimate of receipts for the current year was Rs. 1,59,000 but in the revised estimate this has been raised to Rs. 2,71,000. Th increase is chiefly due to refunds made by Municipalities, of which Rs. 94,79 represents the amount refunded by the Narayanganj Municipality out of grant of 1 lakh made to it in 1914-15 for a scheme which the Municipa Commissioners are at present unable to proceed with. The Budget estimat for 1917-18 is the same as the original estimate for the present year.

As regards expenditure, the decrease of Rs. 3,38,000 in the revised estimate is mainly attributable to the fact that the amount put down for th augmentation grants to District Boards was an overestimate. The estimat for 1917-18 is Rs. 8,59,000, of which details are given in paragraph 66 of the Financial Statement. These call for no comment."

LIST OF BUSINESS—ITEM No. 10.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR introduced the following heads :—

REVENUE—

X.—Registration.

EXPENDITURE—

12.—Registration.

He said :—

"My Lord, I beg to introduce the heads of revenue and expenditure of e Registration Department for the year 1917-18.

The receipts are estimated at Rs. 22 lakhs. We budgetted Rs. 20½ lakhs r 1916-17, but the actual receipts on the basis of the last nine months are pected to be better by Rs. 90,000, and we can reasonably estimate an excess Rs. 60,000 for 1917-18 based on the normal growth of registration revenue. is something, in these years of stress, for the department over which have the honour to preside to be able to present to the public revenues a ndsome excess of a lakh and a half. It is due partly to cultivators having tained very good prices for their jute, partly to the distress caused by high

prices generally and floods and partial famine in certain districts. It is a peculiar feature of this Department that prosperity and adversity contribute almost equally towards increase in registrations. When people are well off they buy land, and when they are hard up they mortgage and sell it. In either case, registration revenue increases.

On the expenditure side, the estimates provide for Rs. 11,36,000. The sanctioned estimate for the current financial year is Rs. 27,000 less But owing to the increase in registrations the expenditure under 'Temporary Establishment' has been larger and the current year's estimate had to be revised. The higher estimate for 1917-18 includes a provision for the opening of some new Sub-Registry Offices and a larger expenditure on temporary establishments, book-binding and other urgent items of contract contingencies. We are still in the midst of the war and we had to cut down expenditure to what is practically an almost irreducible minimum. Schemes of reform, some of which have been sanctioned, are waiting until normal conditions are restored. The Secretary of State has recently sanctioned a long deferred scheme for improving the pay and prospects of the ministerial establishments in district head-quarters and mufassal offices at a cost of Rs. 1,37,000 per annum, but this cannot be given effect to at present. The Secretary of State has also sanctioned the exemption of a number of our registering officers from the operation of the rule in the Civil Service Regulations under which their pension used to be reduced on account of over-age at the time of entry into pensionable service when the Department was re-organized in 1905. This will be given effect to immediately as the cost is not very great. It will afford a very appreciable relief to a number of deserving officers of the Department who had earned their pension after years of hard work. The important scheme of improving the cadres of District Sub-Registrars and Sub-Registrars with a view to ensuring a more rapid flow of promotion is nearing the stage of final sanction.

The Department is still very young, having only begun to exist as an organized Department of Government from the year 1905, and a great many things remain yet to be done before its needs can be reasonably met. Schemes have been prepared for providing a Central Record Room for the storage and preservation of old records and for the building of a large number of new offices and quarters for Sub-Registrars where they are urgently wanted. The equipment of Registration offices generally and the renovation and rebinding of a large quantity of valuable registration records also leave much to be desired, and though we try to make the little money that is available go as long a way as possible, I cannot but deplore that the continuance of the war necessarily curtails many of our much needed improvements.

It will be seen that the excess of receipts over expenditure gives the State a handsome surplus Rs. 10,64,000."

RESOLUTIONS.

(*Under the rules for the discussion of matters of general public interest*).

LIST OF BUSINESS—ITEM No. 11.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved the following Resolution :—

This Council recommends to the Governor in Council that steps be taken to establish Municipalities at every headquarter station of a sub-division of a district where they do not exist at present, and also at every other town and important centre of trade within a district where there exists a population of 3,000 and upwards :

Provided that the proportion of the non-agricultural population of every such area to its agricultural population is compatible with the provisions of section 10 of the Bengal Municipal Act, 1884 (Bengal Act III of 1884).

Babu Ambika Charan Mazumdar.

He said :—

"My Lord, in moving the resolution which stands against my name I (not feel pressed, nor do I consider it at all necessary, to trace the history municipal corporations in Bengal from their earliest inception. Suffice it f my present purpose to examine very briefly their growth and expansi since 1884 when the first serious step was taken to introduce Local Sel Government in this country and a new life was imparted to the municip administration in this province. In reply to a question of mine in Septembe last, Government were pleased to furnish a statement showing the develop ment of municipal administration in Bengal from 1885 to 1915. A glance a this statement will disclose the very slow progress we have made in the ex pansion of the municipal system during the last 30 years. When Ben. Act II of 1884 was introduced there were 92 municipalities within the 26 districts now constituting the Presidency of Bengal, and now after a lapse of 30 years in 1915 the number stands at 112 only; that is, one complete generation has passed away and we have only 20 municipalities added to the list in the whole of this advanced province which in other respects, notably in point of education, has made remarkable progress during this period. My Lord, they have done much better in Bombay where the number of municipalities has risen to 156 within this time. Then out of these 112 municipalities 75 are n the Presidency and the Burdwan Divisions and the remaining 37 are listributed among the Dacca, Chittagong and Rajshahi Divisions. Among he districts the 24-Parganas commands 26 municipalities, and as you recede urther and further from this premier district the number becomes generally hinner and thinner until it fades away in the remote north and east where ften a single municipality looms out in an entire district like an oasis in a esert.

Then out of the total increase of 20 municipalities noted above 10 have ome to the 24-Parganas and the remaining 10 distributed throughout the est of the province.

My Lord, the statement further shows that there are no municipalities the head-quarter stations of many large and important subdivisions, not speak of many *Munsif's Chowkies* and other important centres of trade and mmerce, which have rapidly sprung up in many places. In the important strict of Dacca which is said to contain the second capital of the province. ere is only one subdivision which has got a municipality, the important sub-visions of Munshigunj and Manikganj having none. In Chittagong there is ly one municipality at one of its subdivisions. In Noakhali there is only municipality at the sadar, there being no other municipality in any of subdivisions. In Faridpur there is no municipality at such an important odivisional town as Rajbari which is the terminus of an important railway tem. There was a municipality at old Goalundo; but since the head-quarters s removed to Rajbari in 1887 the municipality was abolished and no step been taken to restore it to the present head-quarters of the subdivision; le the new subdivisional town of Gopalganj is rapidly growing into an gular town of ditches and excavations. In the old district of Jessore e are no municipalities at Magura and Narail. In Khulna an important divisional town like Bagerhat is without a municipality. Going north the e becomes still more dismal. In a large and wealthy district like gpur there is but one municipality at the sadar, and all the three livisions of Gaibandha, Nilphamari and Kurigram are left to take care of selves.

The same condition prevails in Dinajpore and Jalpaiguri, where are no municipalities except at the head-quarter station of these two icts.

Babu Ambika Charan Mazumdar.

In short, my Lord, out of a total of 52 subdivisions, excluding th sadar subdivisions, there are no fewer than 21 subdivisional towns whicl possess no municipal arrangements to look to the health, comfort and convenience of their inhabitants.

My Lord, there are quite a number of *Munsif's Chowkies* which practically resemble subdivisional towns and there are many important *bunders* or trade centres with no agricultural population which have assumed the proportions of fairly large towns, but are left to grow both in extent and population without any arrangement for their sanitary and other requirements.

My Lord, while matters have been allowed to drift in this fashion, the question has assumed a serious aspect in another direction which cannot safely be overlooked. The villages are being gradually deserted and the towns crowded and congested every year. For the sake of professional and other business and for facilities of education of children, proper medical assistance, water-supply, sanitary comforts and conservancy arrangements, all well-to-do people, who can afford to do so, are yearly migrating from their ancient and hereditary village homes and settling themselves in towns and other important centres of trade and business.

My Lord, the District Board and the bodies subordinate to them from the very nature of their constitution as well as from the extensive sphere of their operations are precluded from meeting the manifold requirements of these towns, and beyond the construction of a few roads they have nowhere been able either to provide for or to control the sanitary and conservancy arrangements of these towns. In fact, my Lord, of the two sister enactments both introduced under one and the same policy of the Government of India formulated in 1882, the so-called Bengal Self-Government Act was intended to meet the conditions of rural tracts, while the Bengal Municipal Act was intended to provide for the requirements of urban towns. Though in some respects the two seem to be analogous they are perfectly distinct and different in their constitution and character and wholly distinguishable in their essence and substance.

My Lord, I cannot say that the growing insanitary condition of these unprotected towns and townships has wholly escaped the attention of Government; for recently a step has been taken to form Union Committees in many of which a subdivisional town has been grouped with a number of adjacent villages to constitute a Union.

My Lord, while I yield to no one in my sincere appreciation of the best intention of the Government, I feel constrained to say that the step taken has been a mistake. Any attempt to combine two such varying and divergent conditions as those of urban and rural areas is bound to work double injustice and ultimately prove a failure. In the first place the villagers' taxes will go largely to the benefit of the towns people and the villagers will go very much neglected; while if equidistribution were to be enforced the towns will receive no more attention than the ordinary villages, and thus there will not be any appreciable difference in the past and prospective condition of these towns. The financial position of the unions cannot by any means be a strong one. A limited dole of a grant from the District Board supplemented by the chowkidari tax cannot go far enough to meet their demands. The income of an ordinary union from these sources cannot far exceed Rs. 2,000 a year, and this must be wholly insufficient to meet the requirements of a town, not to speak of the villages which may be incorporated with it. A self-taxing, self-controlling, and self-supporting machinery is needed to cope with the growing demands of these towns; and this machinery can only be supplied by a municipal corporation.

Babu Ambika Charan Mazumdar.

My Lord, I do not and cannot blame the Government for this slow expansion of the municipal system. I am not aware of any instance where the people applied for the establishment of a municipality, but the Government refused such an application. But if the people, owing to their general poverty, are so culpably negligent of the security of their health and comforts, Government cannot view with indifference the growing insanitary condition and unprotected growth and congestion of those towns. The people owe it to themselves to pay for their health and comfort, and increased powers and privileges must carry with them increased burdens and responsibilities.

My Lord, notwithstanding all their lapses and shortcomings the existing municipalities must be given their credit for the great improvements they have effected in their towns. All the municipalities are fairly alive to their responsibilities and eagerly seeking to improve their charges to the best of their financial strength. In several towns filtered water is supplied, in many protected tanks and wells are reserved, while in all a regular system of conservancy is maintained. Street-lighting and street-sweeping are carried on, while 3 to 5 per cent. of their revenues are devoted to education. Year after year while pointing out their defects Government have borne ungrudging testimony to the good work done by these self-governing institutions and has generously come forward as far as possible to help them with grants and subsidies from the provincial revenues. I am aware that the last administration report was not very complimentary to them. It was mainly urged that they were remiss in increasing taxation. My Lord, I do not stand here to defend any recalcitrant municipal board, but as one of their representatives in this Council I feel bound to say a word or two on their behalf before they are summarily condemned. Their actual position is often misunderstood and their difficulties are more often than not altogether overlooked in an off-hand and stereotyped official criticism. My Lord, there is the fact that in 1884 the total income of the municipalities in the 26 districts now forming the Presidency of Bengal amounted barely to little over 3 *lakhs*, while in 1915-16 their income has risen to over 55 *lakhs*, with the income of the 20 minor municipalities super-added. Then in a town containing a population of 20,000 with a revenue of Rs. 30,000 nothing is easier than to point out that the incidence of taxation is only Re. 1-8 per head of the population. But it is overlooked that out of the 20,000 population only 2,000 bear the bulk of the burden of this entire taxation. Then, my Lord, is not the law itself responsible to some extent for this low and disproportionate figure of taxable persons and shortness of taxation?

In most of the district municipalities the main tax in force is a tax on persons according to the means and circumstances of persons occupying holdings. But the narrow definition and the narrower interpretation given to holdings and to occupiers of holdings make it easy for a very appreciable number of people, both official and non-official, in almost every municipality to evade this taxation. Many people living in a zemindar's *kutchery* and in the promises of jute mills and other factories making decent incomes of their own cannot be taxed. Inspecting officers who take their meals at hotels and live in boats within a municipality escape taxation. Truth is said to be sometimes stranger than fiction; but I know of a case in which a judicial officer—I will not say whether he was a Munsiff or a Deputy Magistrate—drawing Rs. 400 a month managed to secure a rejected wagon on a railway siding in a municipal town, and there this wise man, like Diogenes in the tub, lived to defy the municipal authorities. I need not multiply these instances, for they are not pertinent to my present case. Whether there are municipalities which have or have not developed their resources to the fullest extent is no reason why new municipalities should not be established in other places where they are urgently needed.

Rai Mahendra Chandra Mitra Bahadur.

My Lord, it is not for me to suggest what means and methods Government should adopt to give effect to this resolution. The Bengal Municipal Act does not lay down any hard-and-fast rule as to who should take the initiative in the matter of the establishment of a municipality. But the Government cannot divest themselves of their responsibility in providing for the health and comforts of the people committed to their care, even if the people are slow to realize and appreciate them. As in the case of Union Committees, the Magistrates may be asked to report what towns in their district ought to have municipalities, stating their extent and population, the divisions into wards, the number of commissioners for each ward and for the whole of the proposed municipality and the schedule to which such municipality should belong. My Lord, it will be a great step taken for not only the expansion and development of Local Self-Government in this province, but also a practical measure for the partial solution of the vital question of sanitation. It will also strengthen the municipal electorates for the Council elections.

With these remarks I submit, My Lord, the Resolution for its acceptance by the Council and by the Government."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I beg to support the resolution of the Hon'ble Mover. In 1915, the Local Self-Government Policy of Government of India was enunciated in its Resolution Nos. 55-77, dated the 28th April. 'Local Self-Government as a conscious process of administrative devolution and political education dates, outside presidency towns, from the financial reforms of Lord Mayo's Government. Consultative committees had indeed been appointed in various towns in 1850, and measures were taken in 1861 and following years to give effect to the recommendations of the report of the Royal Army Sanitary Commission, which was published in 1863, but no comprehensive scheme was introduced until the years following 1870.' The management of local affairs by the people was encouraged by Lord Ripon. A capacity for self-help by the people of this country has developed since then. The elective system of selecting representatives has been introduced. Official control over the municipalities has been greatly reduced. The Royal Commission upon Decentralization surveyed the whole field of Indian administration. The Government resolution in referring to the above subject noticed the substantial progress of the Local Self-Government Policy and it observed that 'there is definite and satisfactory evidence of the growth of a feeling of good citizenship particularly in the towns. The spread of education is largely responsible for the quickening of a sense of responsibility and improvements of the machinery. In certain provinces, beneficial results have followed the elaboration of a system of local audit. On all sides there are signs of vitality and growth.'

"The time has now arrived for the expansion of Local Self-Government. Past experience suggests that the people of Bengal are capable of taxing their countrymen properly, collecting the taxes and spending them for the improvement of their towns. Our benign Government have trained the people to administer their own affairs, for they also by their instincts inherited from their forefathers are competent to discharge the duties devolving upon them by these new measures. If therefore municipal administration in many Municipalities has proved efficient and successful the people of this country claim an extension of the operation of the principles of Local Self-Government to other places where they have not been tried; specially in those localities which are prosperous because of the spread of commerce and industry. Any one who has studied the history of the growth of municipal administration has noticed

the anomaly in creating municipalities in some towns and at the same time depriving others of the benefit of municipal administration. Let us take a few concrete cases :—In the district of Birbhum, Nalhati and Rampur Hât are omitted from the operation of the Municipal Act. The population per square mile is 649 and 606, respectively, in the towns of Nalhati and Rampur Hât, whereas in the head-quarters at Suri which has a municipality, the population is 449 per square mile. Let us come to Howrah. Amta and Uluberia have no municipalities, though their popolution is 1,293 and 1,402, respectively, per square mile. In Rangpur, we may take the case of Nilphamari and Gaibandha ; in these places the population is 789 and 1,188, respectively, per square mile. Then again in the district of Dacca, in Manikganj and Munshiganj, the population is 1,015 and 1,600 per square mile, respectively. These few illustrations will explain the necessity of the creation of municipalities in places like those I have mentioned. There is a network of commercial towns in every part of Bengal and I fully support the views of the Hon'ble Mover, that those places are only to be omitted which come under the purview of the proviso to the resolution.

"I do not understand why most of these localities have not been allowed to enjoy the benefit of municipal administration since 1864. I suppose it may be admitted that wherever the population of a place admits of its being considered a town and the number of agriculturists who cannot be taxed does not predominate, proper conservancy and sanitary arrangements should be made, in other words municipalities should be created in such areas. Experience has shown that in districts like the 24-Parganas and Hooghly there is a large number of municipalities and the Commissioners have been able to a great extent to check the spread of malaria, cholera and small-pox within the municipal limits. My Lord, I am glad to bring to your notice that by the introduction of the supply of filtered water in the towns of Hooghly-Chinsurah, Sahaganj and British Chandernagore, the ravages of cholera and small-pox have been mitigated and even malarial fever to a great extent has disappeared since the last two years. This is owing to the kind help which Your Excellency's Government extended to the local Municipality. But while other people are discussing the ways and means of driving away malaria from the affected areas, and adumbrating ambitious and costly scheme of flooding and drainage, I am confident that municipal improvements as introduced in Hooghly will be a panacea for all these diseases which are troubling Bengal. I therefore feel it a pleasant duty to commend this resolution to the Council for reasons which I have submitted. And my connection with mufassal municipalities for more than 30 years gives me, I think, a right to speak on the subject with that authority which practical experience generates. My hope for the extension of the principles of municipal administration to various towns and localities in Bengal is strengthened by an idea that village unions ought to cease to exist when they are expanded to a collection of people who feel fit to administer their affairs by municipal laws."

The Hon'ble BABU SURENDRA NATH RAY said :—

"My Lord, I have great pleasure in supporting this resolution. It is a very modest Resolution and I think your Excellency's Government can have no reason to oppose it. The provisions of the Bengal Municipal Act are clear. The Act, I mean the Bengal Municipal Act, may be extended to any local area, provided that no local area can be included within a municipality unless the Local Government is satisfied that three-fourths of the adult male population are chiefly employed in pursuits other than agriculture, and that such area contains not less than 3,000 people and on an average number

of not less than 1,000 inhabitants per square mile. The head-quarters of subdivisions are invariably the most important places in a district bristling with life and animation, whatever of life and animation there is in the country. It is therefore but meet and proper that Government should, wherever possible, give the boon of municipal life to these places. There are no doubt some subdivisions where there are municipalities, but on the other hand there are subdivisions where there are no municipalities but they are under the Local Board. I am probably the only member in your Lordship's Council who is connected with a Municipality and who is also a member of a Local Board. From my experience of a Municipality and of a Local Board, I can say without hesitation that these Local Boards are almost lifeless—these Boards are by their very constitution dependent upon the District Boards not only for their sustenance but also for their very existence. Not only are they allowed a certain sum to keep them going but even the items of their expenditure under the major heads are settled by the District Board. It is in the subdivisions that we have men who are quite willing and are quite competent to carry on a Municipality if the right is given to them. The object of that great statesman the late Lord Ripon in introducing Local Self-Government in India was that it might be an instrument of popular and political education. That object of that noble Viceroy has not been realised by the establishment of Local Boards but has been to a great extent realised by the establishment of municipalities. The question of sanitation which is the most important question in the mufassal towns and villages is grappled with more satisfactorily in a municipality than in a Local Board. In this country we are placed in such a helpless position that Government have to take the initiation in all matters and Government will have to take the initiation in this matter as well. Government will not lose anything by doing so. On the other hand it will earn the gratitude of the educated community of the Presidency. There is no apprehension that these new municipalities will not be a success, for we have now 30 to 40 graduates in such subdivisions and we can fairly expect that under their guidance and management these institutions will be found to be a success. They will be better managed than the Union Committees which Government are now desirous of establishing."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, I have great pleasure in associating myself with this resolution Being elected to this Council from the Municipalities of the Rajshahi Division, I think that this much-needed reform should be introduced as early as possible. I cannot really understand if places like Sherpur in Bogra district and Nawabgunge in Malda district can have municipal administration why places like Gaibandha and Kurigram, in Rangpur district and Thakurgaon and Balurghat in Dinajpur should not have municipal administration. I was discussing this very question a few days ago with the Magistrate of my district, Mr. Cassells. There is a proposal that a Municipality should be established in Nowgaon in Rajshahi which is a rising town. He was telling me that a Union Committee would do very well there but one aspect of the question is lost sight of. The district fund is largely monopolised for the maintenance of the trunk roads and feeder roads of the district. The additional new grant of the Public Works cess is largely monopolised by education charges and for the maintenance of dispensaries and for medical aid. If over and above this large sums of money have to be spent for maintaining the larger towns in the districts in proper order under union committees the funds will be further crippled and proper attention will not be given to the rural areas. So I think that union committees are not the proper remedy and, wherever possible, municipalities ought to be established. I hope with the Hon'ble Mover that for this reform Your Excellency's

Maulvi Abul Kasem ; Rai Radha Charan Pal Bahadur.

Government will find its way to take proper steps for establishing municipalities wherever possible with the safeguards as suggested by the Hon'ble Mover. With these few words I beg to support the resolution."

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord, it is with some diffidence that I rise to speak on this resolution. If I have to base my opinion on the experience that I have gained of the municipal administration of my town, I would hesitate before supporting it. I think municipal administration is not an unmixed blessing. However, I am glad to learn that municipal administration in other towns is in a much better condition than it is in Burdwan, and I think that we can safely ask Your Excellency's Government to establish municipalities at head-quarters of subdivisions of the districts where there are no municipalites. But I would appeal to Your Excellency's Government to take into consideration the conditions and the interests of the Muhammadans wherever they are in the minority in these municipalities. I deeply regret to say that my experience of municipal administration in towns where Muhammadans are in a minority has been very sad and very regrettable. Muhammadan interests, I say it with a full sense of responsibility, have been deliberately neglected where they are in an absolute minority, and I hope that in introducing these municipalities, Your Excellency's Government will take care that some provision is made for the proper and adequate representation of Muhammadans and for the safeguarding of their interests. With these words I support the resolution."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, I rise with some diffidence on this occasion. First of all, I must admit that I was but a little amused by the speech delivered by the previous speaker, my friend the Hon'ble Maulvi Abul Kasem. I thought when listening to his speech that he was opposed to this motion, but I find that the only ground of his opposition is that the Muhammadan interest would be neglected and therefore there should be no extension of the municipal system in other parts of Bengal. I do not know what my freind's experience is, but as far as the majority of non-official members are concerned, and I believe it will be admitted by some of the Muhammadan members here, that in most of the places where the municipalities exist, the Muhammadan interest is as well looked after by the Hindus as the Hindu interest is looked after by the Muhammadans. Now, my Lord, with regard to the resolution moved by my venerable friend the Hon'ble Babu Ambika Charan Mazumdar, I must admit that there are two sides to the question, and, candidly speaking, I cannot make up my mind which side to vote for. I am not one of those who are accustomed to decline to vote when asked to say yes or no. But on this occasion I seem to be driven to that position. My Lord, we have in season and out of season reiterated that education has so much advanced in Bengal —this Presidency being the most advanced province in India—and the educated community is so much scattered through every part of Bengal that there is a demand for a larger share in Local Self-Government. I have not much experience of the province outside the city, but I must say I am surprised to hear from the representatives of the District Boards of other parts of Bengal that there is not yet sufficient public spirit and sufficient education spread in other parts of Bengal as to induce the residents of these parts, especially as the Hon'ble Babu Surendra Nath Ray said that the subdivisions contained able and competent and enlightened men—to avail themselves of the provisions of the Bengal Municipal Act and to ask for municipalities in their subdivisions. My Lord, we very rightly demand that Government should be guided by public opinion, and I am rather surprised that in this matter, a matter in which the educated community is vitally interested, the desire

for what we call the extension of Local Self-Government is so silent and so dormant in those enlightened subdivisions of Bengal. I value the blessings of municipal government, but at the same time, my Lord, I think that public opinion in those places should be consulted before the Government extend municipalities in these areas. I am a product of two generations of municipal self-government in Calcutta, and whatever public life we possess is due to civic life in Calcutta, but I must say that I quite agree with the Hon'ble Maulvi Abul Kasem that unless municipal government is placed in able, willing and capable hands, it is not an unmixed blessing. Therefore, although I sympathise with the object of the resolution, I think that public opinion in these localities where the municipalities are required should be consulted before the Government take such a step."

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said :—

"My Lord, I have much pleasure in supporting the resolution of my Hon'ble friend Babu Ambika Charan Mazumdar, which has been supported by the previous speakers except the Hon'ble Rai Radha Charan Pal Bahadur. I recollect what took place in the Bengal Legislative Council in the middle seventies of the last century. I am old enough to remember that. It was the time of Sir George Campbell, who was Lieutenant-Governor of the province, and he was far ahead in many matters in his time. The Municipal Act at that time was the one which was passed in 1863 and he wanted to give the Municipality a most comprehensive scope, and he wanted to introduce municipalities not only in every district of the province then under his control, but also to every subdivision of a district and other places of importance in the district. That Bill was very carefully drafted and it was introduced in Council by Mr. Beaufort, then the senior member of the Civil Service, and it ran its course in Council in spite of very great opposition on the part of the representatives of the Indian community then in Council and who acted under the lead of the late Maharaja Sir Jotendra Mohan Tagore and Raja Digambar Mittra. But in spite of this opposition the Bill was carried, and passed into an Act. But when it came up to the Viceroy, the late Lord Northbrook, he could not see his way to give his assent to it. He was a Viceroy with great liberal principles, and it was at his initiative that the elective system of municipal representation in Calcutta of 1876 at the time of Sir Richard Temple, the succeeding Lieutenant-Governor, was introduced. Lord Northbrook, as it was reported at the time, said it was a very good thing to have municipalities all over the country, but the people for whom it is intended through their representatives in Council have entered a protest that they do not want it. 'Why should we', said he, 'create discontent by forcing this on them'. This was the state of things, Sir, some 40 years ago. What do you see now? The accredited representatives of the people, members of the Council who represent the municipalities of the province barring the Calcutta Corporation, have come forward and asked for the extension of municipalities all over the country. Take it to the subdivisions and to important centres of trade, places of importance in the districts. Some people may not like it, for instance, the Government officer who wants to live in a railway wagon, but they will like it in time, and there is a very considerable proportion of the people, rural people I should say, who feel the want of sanitation and the want of civic conveniences and would be glad to have municipalities. Then there is another class, the class which is somewhat more articulate, represented by my friend the Hon'ble Babu Ambika Charan Mazumdar, the President of the last Indian National Congress; they want Local Self-Government and extension of Local Self-Government, and certainly they are entitled to speak on behalf of the people, and if they are a little in advance of the agricultural population in their sentiments, I think their views have to be respected and have to be considered and followed because the agricultural

man of to-day will be the trader of to-morrow and the manufacturer of the day after and spokesman of his countrymen the next day. I think it would be a very wise thing for the Government to accept the views of the gentlemen who are members of Your Excellency's Council to-day and make a move in the direction of the extension of municipalities."

The Hon'ble MR. P. C. MITTER said :—

"My Lord, I have great pleasure in supporting this resolution and in doing so I wish to address this House only from one point of view. This Council has heard from the Hon'ble Babu Surendra Nath Roy what the statutory provisions of the municipal system of administration are, but I may add shortly the essential statutory requisites, namely, there must be a minimum population of 3,000 and three-fourths of the adult male population who must be employed in pursuits other than agricultural, and lastly there must be a density of population of 1,000 to the square mile. The main question which I would ask this House to consider is, in an area such as this, an area which the Legislature intends to characterise as urban, should we have municipal administration as our ultimate aim or should we have a system of administration by village unions? I am unhesitatingly in favour of a system of municipal administration in an area like this as our ultimate aim for several reasons. My first reason is that it will afford better facilities to the local population to tax themselves. It is already an unpleasant duty to tax oneself, but before we can really do anything in the direction of sanitary improvement, we must learn to tax ourselves and to bear the burden of taxation. Then, my Lord, there is another reason why I am in favour of municipal administration for urban areas, namely, it will tend, at any rate it ought to tend, to the growth of the public interest in local affairs in such areas. There is still a third reason which induces me to vote in favour of my Hon'ble friend's motion, namely, that municipal administration for these urban areas will tend to set free funds for sanitary improvement of rural areas, for we know that funds are badly wanted in rural areas. At the same time I must say I am in entire sympathy with the observations of my Hon'ble friend Rai Radha Charan Pal Bahadur, that we must have local interest in these matters before we can ask for municipal administration in these areas. It will not do for the Government to force the municipal system of administration upon an unwilling population and therefore in my humble judgment the right course for the Government to follow would be, when the question arises with reference to a local area, to see if the area is an urban area as defined above, or a rural area. If it is an urban area Government sympathies ought to be for the introduction of a municipal system of administration, provided the local public wanted it. If the Government be pleased to follow this humble suggestion of mine, I have no doubt that in the fulness of time the local inhabitants of such areas will realise the importance of taxing themselves. They will realise that it is much better to live and live well, even though it may be costly. On the other hand, in the system of administration by village unions, the areas must necessarily be much larger than municipal areas. The more intelligent and influential people residing in subdivisional towns will often attempt to appropriate to themselves more funds for the immediate benefit of the immediate locality in which they are interested. Therefore looking at the interest of the province as a whole I have no hesitation in supporting this resolution."

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI said :—

"My Lord, in subdivisional towns or in other big towns, although they may be of great importance and centres of great activity and there might

be people who are very influential, still they have no voice in the municipal administration of the district. In returning members to this Council their opinions are not represented, though in all fairness it should. Secondly, the municipal bodies of the sadar towns are entrusted with the work of the administration of the sadar towns themselves; they have not the power to formulate methods of improvement in other towns. The improvement of the other towns and big villages on the other hand, having no municipal bodies responsible for the town improvement and management thereof, do not make any corporate effort to undertake the work themselves. It is desirable that the men of such towns should have direct responsibility in effecting improvements in their own towns. It is only in this way, my Lord, that sanitary and other desirable improvements will be seriously tackled by the people themselves. There is a tendency, I am glad to say, with regard to District Board administration, and it is undoubtedly a step in the right direction, to establish village unions in order to allow and encourage people to take greater interest in the improvement of the local administration. Therefore, I hope, my Lord, that it will be thought consistent with the spirit of the movement to establish municipalities in all towns, at least in all subdivisional towns, and in all fairness and for the good of these towns, Government should establish municipalities in those places where at present there are no municipalities."

The Hon'ble Mr. A. Rasul said :—

"My Lord, I had no intention of speaking to-day on this resolution and I do not intend to speak on the general aspect of the question. There is no doubt, and I think every member will agree with me, that my Hon'ble friend the mover of the resolution has made out a very strong case for the adoption of his resolution. My Hon'ble friend Rai Radha Charan Pal Bahadur said something in reply to what my Hon'ble friend Maulvi Abul Kasem said with regard to Muhammadan representation in the municipalities. It is for this reason that I have risen to speak. My Hon'ble friend Rai Radha Charan Pal Bahadur has said that every member of this Council well knows that there is no distinction between Hindus and Muhammadans in these municipalities. I have never served on any municipality in my life, and I must say that complaints have come to me as a journalist with regard to various matters. I should not go so far as to say that the Hindu members of the municipalities have deliberately neglected the interests of the Muhammadans, but I must say that they have been, I dare say, unwittingly indifferent to the interests of some of the Muhammadans in some municipalities. Well, we need not discuss the various municipalities, but as far as the Calcutta Municipality is concerned, I am told that the bodies of Hindu paupers are burnt at the expense of the municipality, but, unfortunately, the bodies of the Muhammadan paupers are also burnt, there being no provision for their suitable burial. But, fortunately, the Muhammadan inhabitants of Calcutta have come forward and have established certain associations which raise funds from the Muhammadans of Calcutta, and with the aid of these funds they are able to give suitable burial to such bodies. Well, in this case, I should not say that the Hindu Commissioners deliberately did that, but that was because, I think, there were not many Muhammadan Commissioners in the Corporation, and it is well known, especially to those Hindu Commissioners and also European Commissioners, if there may be any present here, that in the present Corporation there is not a single Muhammadan elected Commissioner in Calcutta, therefore I have great sympathy with what my friend the Hon'ble Maulvi Abul Kasem said, that when municipalities are established, the interests of the Muhammadans should be safeguarded. As far as the resolution is concerned I do not think any Muhammadan or any person belonging to any other community can take

any exception to it, because we ought to have municipalities, but the interests of the minority should be safeguarded."

The Hon'ble BABU AKHIL CHANDRA DUTTA said :—

"My Lord, I have great pleasure in supporting this resolution. I will add only one word about the observations made by my Hon'ble friend Maulvi Abul Kasem. I hope the members of this Council will believe me when I say that this is the very first time that I have heard of such a thing that the interests of the Muhammadans are deliberately neglected, presumably by the Hindu municipal commissioners. I have never heard that the Muhammadan interests are neglected at all much less have I heard that they are deliberately neglected. I do not know that the full significance of the charge that has been laid at the door of the Hindu commissioners has been seriously considered by my friend the Hon'ble Maulvi Abul Kasem. I have heard, I must admit, some such suggestion that in the matter of election sometimes it has been complained that the Hindus gave preference to Hindus and Muhammadans gave preference to Muhammadans, but that is quite a different thing from saying that the Muhammadan interests in all matters are neglected by the Hindu commissioners. At all events, I can assure the Council that if these are the feelings of the Muhammadans in others part of the country, that at any rate is not at all the feeling of that part of the country which I come from, I mean Eastern Bengal. With regard to the resolution, I can only say that in bringing forward this resolution before the Council, the Hon'ble Mover has only represented the feelings of the public at large in this matter. If the wishes of the people are at all to be considered, I think there are very good grounds for accepting this resolution."

The Hon'ble MR. GODFREY said :—

"My Lord, I do not wish to detain the Council long, but as my work takes me to all parts of India, an expression of my opinion on this subject may be of some use. I have listened with much interest to the speech of the Hon'ble Mover, but I cannot think that he has made out any strong case: in fact, the very instance he has cited of responsible individuals, presumably educated men, evading taxation, only shows, in my opinion, how unfitted many of the small towns would be for the responsibilities of municipal administration. If such educated officials, as he mentions, would act in such a way, what could be expected from the comparatively uneducated classes? I am afraid, my Lord, that the Hon'ble Mover may think that I am opposed to his resolution, in view of the light he has thrown on the question of the shortage of Railway wagons in India at the present time, it is indeed a revelation of the lengths to which a self-respecting member of a Government service will go in collusion with a Railway servant to evade a small local tax, but that is not the reason, my Lord, for opposing the resolution.

"I am strongly in favour of the gradual extension of Local Self-Government in municipal matters, but from my experience of many parts of India, I have seen too many cases of mismanagement by Municipalities because of the impossibility in small towns of finding sufficient ability to organize and pursue the proper duties of a Municipality.

"I am afraid I cannot believe that every subdivisional head-quarters, village or town is qualified to adopt municipal organization or could do so without a very large number of them proving very incapable and failing, and failure in this way would only result in throwing back the proper but gradual advance of Municipal Local Self-Government for several years, a result I should not wish to see.

Nawab Sir Syed Shams-ul-Huda.

The Hon'ble Mover has himself admitted that some existing municipalities do fall short of expectations and show poor results. His resolution would only increase the number of failures, and I think he would be well advised not to press the Resolution."

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA said :—

"My Lord, I am sorry that I cannot accept the resolution, though it has received considerable support, some of which has not been unqualified. I do not desire to base any arguments on any of the controversial questions that have been raised by some of the Hon'ble Members. My Hon'ble friend desires the establishment of a municipality at every headquarter station of a subdivision and every other town and important centre of trade which may satisfy the provisions of section 10 of the Municipal Act. That section, as Council is aware, insists that the Municipal Act shall be extended only to places where three-fourths of the adult male population are chiefly employed in non-agricultural pursuits ; that the number of inhabitants should not be less than 3,000, and that there should be on an average not less than 1,000 inhabitants to the square mile. A reference to the last census report will show that the number of places in Bengal which have an urban character and which satisfy the requirements of section 10 and yet do not possess a municipality is small. At the last census only 124 places were treated as towns. We have already 112 municipalities in Bengal. The number of additional places to which the Municipal Act could be extended are therefore very few. The definition of a town for census purposes is a municipality, cantonment and any other place which is of an urban character, though not under Municipal Government. The District officers were specially asked to report what places came in the last category, *e.g.*, as centres of trade with a fairly dense population, etc., but only six places other than municipalities or cantonments were considered sufficiently urban to be treated as towns. Of these, two were Railway settlements, the remaining four were all in Rangpur. Two of the latter have only a little over 3,000 inhabitants, the other two (of which one, Nilphamari, is a subdivisional headquarters) had a population of under 3,000 and could not therefore be created municipalities under the law.

As regards the request that all subdivisional headquarters should be made municipalities, there are 83 subdivisions in Bengal (including the Sadar subdivisions), and of these only 25 subdivisional headquarters are not municipalities. No less than 17, however, of them have been constituted Union Committees.

I would not here enter into a discussion as regards the relative merits of municipalities and Union Committees. Suffice it to say that we have recently been establishing a large number of these committees and are about to undertake legislation to increase their powers and their responsibilities. It would be useful to have a certain number of these committees in semi-urban areas where the presence of a comparatively large number of educated people would make those committees models for the rest. Personally, I would be sorry to do anything at the present moment which will, in any way, prejudice the scheme of local self-government from which we expect a great deal of good to the country. Besides, it is well known that the people themselves are not keen on having Municipal Government as it brings in its train additional taxation, and the Hon'ble mover of the resolution is the last person who would ask Government to do anything against the wishes of the people. I think I can say quite correctly that there are very few, if any, real towns which are not already municipalities. There are many subdivisional headquarters which are largely agricultural in character where crops are grown, cattle are grazed and shops are few. If my Hon'ble friend would make an inquiry he will perhaps not be able to instance many subdivisional

headquarters without a municipality to which the Municipal Act could legally be extended. If he would indicate any such places and the people themselves are willing to have a municipality and not a Union Committee we would consider such a case with sympathy."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"My Lord, I have not been a little surprised to hear some of the remarks made by some of the members of this Council. Several issues have been raised, some of which are mere side issues, and some of which do not touch the question at all. I will briefly refer to those objections.

My Hon'ble friends, Maulvi Abul Kasem and the Hon'ble Mr. Rasul, although they both supported the resolution, have said that Muhammadan interest should be safeguarded. I should be the last person to stand in the way of safeguarding the interests of Muhammadans. They speak from their experience of certain municipalities which might not have acted properly. The Hon'ble Maulvi Abul Kasem speaks of Burdwan. I do not know whether Burdwan is quite so malaria-stricken even in regard to its public spirit, but I can assure both my Hon'ble friends that there are municipalities, a very large number of them—and I have been connected with the administration of a municipality for nearly twenty years—in which no such apprehension exists.

Then, My Lord, the Hon'ble Rai Radha Charan Pal Bahadur has sprung upon me a very formidable argument, *viz.*, that it is extremely doubtful if there is public spirit enough in the interior of the country. For his information I may tell him, if he will profit by my information, that in the mufassal municipalities the Commissioners do not demand a fee of Rs. 16 nor do they get Rs. 20 for attending the meetings of either the municipal corporation or the Improvement Trust, but they all work gratis. Their public spirit is not to be kept up by any silver tonic. What is in Calcutta is not what prevails in the mufassal, and if there is any public spirit although we have no town hall in the mufassal, and if what is called true public spirit is to be found anywhere, it is in the interior of the country where the people work gratis without any hope of reward

The Hon'ble Mr. Godfrey has said that he is able to attack me on my own ground, *viz.*, I have said that a certain judicial officer lived like Diogenes in a tub and therefore evaded taxation. He probably lost sight of what I said. I said that there was a defect in the law and I do not suppose any member of this Council is so generous that if he can evade the law, he will come forward to Government or to anybody to pay a tax. What I said simply is this—it is not simply the Municipal Commissioners who are responsible, but that there are certain defects in the law which allow people to go scot-free. That is my view of the question.

Then he has said that he has been in many of the provinces and he found that there is a lack of public spirit. My Lord, I am a Bengali and I am a little bit proud that I am a Bengali. Bengal is different from the other provinces, it may not be in other matters, but in matters of public spirit and in matters of political education, Bengal is far ahead of the other provinces, and there are instances where people have sacrificed much for municipal government and district administration, and everywhere they have given proof of much public spirit.

My Lord, the Hon'ble Mr. Godfrey says, 'let us have gradual advance.' But where is the advance if everything is stationary? You cannot ask the sun to advance in its path. We are practically at a standstill. Thirty years have elapsed and we have not made any advance. Then where is the gradual advance?

Babu Ambika Charan Mazumdar.

The Hon'ble Member in charge is even imbued with the idea that the time has not come for any expansion of municipal administration. When it will come God Almighty alone knows. The Hon'ble Member has sprung upon me the last census report. He reminds me of a story which I read in my younger days of a young gentleman who when he went in the company of certain ladies wanted to create a sensation and said, pulling out a piece of paper from his pocket, 'Look here, Jerusalem is attacked.' The ladies exclaimed, 'Jerusalem is attacked! when and by whom?' Then a person took the paper and saw that it was as old as the 13th century. My friend has practically done the same thing. He has sprung upon me the census report as if the country and the subdivisional towns have remained where they were at the time of the last census. What is my proposition? I have given you a proviso that you need not establish a municipality unless there is a population of 3,000. But why do you throw me aside with the census report of 1911? Inquire, and if some of these towns do not satisfy this condition, do not give them a municipality. I have not asked you to go beyond the law. I have given you a proviso, provided the condition is compatible with the provisions of section 10 of the Municipal Act of 1884, that is, the section which provides that there must be at least a population of 3,000 and also that at least three-fourths of the population should not be agriculturists, and that the incidence of population is compatible with the law. That is what I have said. Where is the reason for the Government to reject this proposition, when they are so very very anxious for the expansion of local self-government? Besides, what evidence is there as to the limit of these towns of which my Hon'ble friend speaks which the census superintendent took for the purpose of their operation? My Lord, let us be frank and let us know exactly where we stand. It is said that Government are very much interested in local self-government. Let us have some positive evidence of it. My Hon'ble friend is a Unionist,—he likes Union Committees and all the other ramifications of the officialised District Boards which are a mockery of local self-government. There is a District Board and under it a Local Board, and there will be the village unions. There you can find competent men, there you can find public spirit, there every condition is satisfied, but these unfortunate towns cannot satisfy any of these conditions! It ought to be patent to every sensible man that unless you have a self-taxing, a self-supporting machinery, the proper administration of the towns and the proper maintenance of their sanitation and conservancy cannot be maintained. The so-called Local Self-Government Act does not provide for any measures of this sort. No town, no village union has ever or can ever maintain an establishment for securing conservancy or any other matters of sanitation connected with it. You will ask District Boards to give Rs. 1,500—and as my friend the Hon'ble Member in charge is bent upon increasing the number, the dole of grant will be gradually smaller and smaller because the District Board's income is not very elastic. We have created a number of unions each with a magnificent income of Rs. 1,200 which can neither improve the village nor the towns, and if you insist on multiplying these, I can only understand that whatever is said about the interest for local self-government is a misnomer and a myth, if not a delusion and a snare.

We are at this time crying for self-government within the Empire. Many people have told us in high places, 'Begin with improving local self-government.' If local self-government is first developed and improved, then ask for National self-government. I thought there was some sincerity and some reason in the suggestion, but at the same time when a proposition like this cannot be accepted, then good-bye to all hopes and aspirations for the future development of self-government, local or national.

My Lord, I will ask for a division, whatever may be the fate of the proposition."

Babu Kishori Mohan Chaudhuri.

A division was then taken with the following result :—

AYES.

The Hon'ble Dr. Nilratan Sarkar.
" Raja Hrishikesh Laha, C.I.E.
" Mr. Provash Chunder Mitter.
" Kumar Shib Shekhareswar Ray.
" Babu Brojendra Kishore Ray Chaudhuri.
" Babu Arun Chandra Sinha.
" Dr. Deba Prasad Sarbadhikari, C.I.E.
" Rai Debender Chunder Ghose Bahadur.
" Maulvi Abul Kasem.
" Mr. M. Ashraf Ali Khan Chaudhuri
" " A. Rasul.
" Babu Bhabendra Chandra Ray.
" Mr. Altaf Ali.
" Rai Sri Nath Ray Bahadur
" Babu Akhil Chandra Dutta.
" Rai Mahendra Chandra Mitra Bahadur.
" Babu Surendra Nath Ray.
" " Kishori Mohan Chaudhuri.
" " Ambika Charan Mazumdar

NOES.

The Hon'ble Mr. P. C. Lyon, C.S.I.
" Nawab Sir Syed Shams-ul-Huda, K.C.I.E.
" Mr. N D. Beatson Bell, C.S.I., C.I.E.
" Surgeon-General W. R. Edwards, C.B., C.M.G.
" Mr. B. C. Mitra.
" " C. J. Stevenson-Moore, C.V.O.
" " J. H. Kerr, C.S.I., C.I.E.
" " H. L. Stephenson, C.I.E.
" " J. Donald.
" " F. A. A. Cowley.
" " W. W. Hornell.
" " S. W. Goode.
" " H. P. Duval.
" Rai Priya Nath Mukharji Bahadur.
" Sir Rajendra Nath Mookerjee, K.C.I.E
" Mr. J. Mackenzie.
" " G C. Godfrey.
" " Aminur Rahman.
" " F. W. Carter, C.I.E.
" Sir A. Birkmyre, KT.
" Mr. E. B. Eden
" " E. A. Martin.
" " H. R. A. Irwin.
" Dr. Abdulla-al-Mamun Suhrawardy.

The following Members were absent :—

The Hon'ble Mr. J. Lang.
" Nawab Bahadur of Murshidabad.
" Mr. R. Glen.
" Maharajadhiraja Bahadur of Burdwan, K.C.S.I., K.C.I.E., I.O.M.
" Maulvi A. K. Fazl-ul-Haq.
" Babu Mahendra Nath Ray, C.I.E.
" Mr. K. B. Dutt.

The Hon'ble Member named below abstained from voting :—

The Hon'ble Rai Radha Charan Pal Bahadur.

The Ayes being 19 and the Noes 24, the motion was lost.

LIST OF BUSINESS—ITEM No. 12.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved the following Resolution :—

This Council recommends to the Governor in Council that steps be taken for affording further facilities for general education all over Bengal by the establishment of some more first and second grade colleges and higher class schools in different parts of Bengal with such local contributions and aid from District Boards and Municipalities as may be practicable, also that circular orders be issued authorizing the Heads of Government institutions to duplicate classes wherever necessary, the additional expenses being met from the additional income to be derived from such duplication.

He said :—

" My Lord,

In commending this resolution to the acceptance of this House, I wish to make myself clear, at the very outset, that it is not my intention to oppose even indirectly the establishment in Bengal of one other University

Babu Kishori Mohan Chaudhuri.

if not more either at Dacca or elsewhere, in regard to which, I am afraid, I have been misunderstood in several quarters. In my first notice of the resolution I suggested the postponement for the present of the establishment of the proposed Dacca University and to utilise the money provided for the same in giving effect to the proposals embodied in that resolution. I have now thought it proper to omit the above suggestion as I think it is purely a financial question and it is not for me to enter into it.

I am fully alive to the manifold blessings which we have derived in the past and hope to derive in the future from the establishment of Universities in India, but I think the time is come when we should aim at the development of special branches of technical education in the old Universities as well as in some new ones to be started, as I understand is being done in the United Kingdom. I welcome with all my heart any attempt that may be made for the diffusion of knowledge in whatever shape it may be. That there is necessity for making further arrangement to meet the growing demand of educational facilities admits of no doubt It is equally necessary, I think, that the existing machineries should be improved and remodelled for giving a healthy tone to and for the full development of the educational activities all over Bengal. Reformation and not revolution should be our principal aim. If the proposed Dacca University is likely to remedy the defects of the present system and to help the diffusion of knowledge which we so urgently require, we should try to have it as early as possible. If, however, there be reasonable apprehension that progress and more rapid spread of education are likely to be retarded under the new system, we should pause for a moment to consider the situation before we can support the movement. I do not mean to say that I do not want any more Universities in Bengal for general education, but I want to place before Your Excellency what we really want at the present moment in order to meet the growing demand and the natural aspirations of our youthful generation. In education lies the solution of the all important broad question of the day and in education lies the relief of the so-called middle classes, or the *Bhadralog* classes, in Bengal. In whatever way that can be achieved, we all should have our heartiest support. It is in this view that I have modified my original resolution and without disputing with any of my Hon'ble colleagues the method of our procedure, I simply press for the things we are in urgent need of.

The great charter of the present system of education dates its origin from the memorable despatch of the Court of Directors of 1854. They for the first time, I believe, 'definitely accepted the systematic promotion of general education as one of the duties of the State in the British Administration of India.' They regarded it as a sacred 'duty to confer upon the natives of India those vast moral and material blessings which flow from the general diffusion of useful knowledge.' They hoped by means of education to extend the influence which the Government was exerting at the time for the suppression of demoralising practices by enlisting in its favour the general sympathy of the native mind. They also sought to create a supply of public servants to whose probity offices of trust might with increased confidence be committed, and to promote the material interest of the country by stimulating its inhabitants to develop its vast resources. This policy was reaffirmed in 1859 when the administration was transferred to the Crown. The principle was further developed by the commission of 1882-1883, which submitted further detailed proposals for carrying out the principles of the memorable despatch of 1854. It was clearly affirmed in the Government resolution, issued on the 11th March, 1904, during the régime of Lord Curzon that the efforts of the Government in pursuance of the above policy produced, upon the whole, a powerful influence for good. The shortcomings of the educational policy regarding its general spread and opening new avenues of employment were noticed in this resolution and a modified scheme was put

forward for spreading the benefits of education more widely in its primar secondary and higher stages. This modified scheme finally culminated the passing of the Universities Act of 1904 and the framing of regulatio for each University with reference to local circumstances for controlling tl University education in India.

This declaration of policy did not, however, rest with the above de patches and resolutions. This educational policy has since been finall accepted in clear and unmistakable terms of the Royal Declaration graciousl made by His Majesty, our beloved King Emperor, in January, 1912. It wa a message of hope fully sympathising with the aspirations of His Majesty' Indian subjects communicated through the members of the Senate of th Calcutta University and its registered graduates. His Majesty's comman and assurance now find a prominent place, as they must, in the last quinquen nial report for 1907—1912 of the Hon'ble Mr. Sharp. I may be permitte to quote the passage here :—'Education has given you hope and througl better and higher education you will build up higher and better hopes. Th announcement was made at Delhi by my command that my Governor General in Council will allot large sums for the expansion and improvemen of education in India. It is my wish that there may be spread over the land a net-work of schools and colleges from which will go forth loyal and manly and useful citizens, able to hold their own in industries and agriculture and all the vocations of life, and it is my wish too that the homes of my Indian subjects may be brightened by the spread of knowledge with all that follows in its train,—a higher level of thought, of comfort and of health. It is through education that my wish will be fulfilled and the cause of education in India will be very close to my heart.' India my Lord, wants no more. What we have been clamouring for is only this—that effect must be given to this noble and soul-inspiring Royal Command.

As regards Primary Education, it is not my intention to say anything at the present moment. 'The Primary Education,' as defined by the Indian Education Commission of 1882, 'is the instructio of the masses through the vernacular in such subjects as will best fit them for their position in life.' There is great demand for primary education even in the remotest villages in the interior. Every cultivator of some means is now anxious to get an elementary education and feels its necessity all the more for taking an intelligent part in dealing with his creditors and landlord's tahsildars. In the resolution of 1904, above referred to, Government fully accepted the proposition that the active extension of primary education is one of the most important duties of the State. And it was so not merely on general grounds, but, as Lord Lawrence observed in 1868, 'among all the sources of difficulties in our Administration and of possible danger to the stability of our Government there are few so serious as the ignorance of the people.' The Conference of the Co-operative Societies recently held in Calcutta and opened by Your Excellency adopted a resolution urging for the wider diffusion of primary education in Bengal. I, however, hope and trust the question will be seriously taken in hand when the revision of the Bengal Local Self-Government Act and the contemplated legislation upon the recommendations of the District Administration Committee will come up for consideration.

The wider extension of education is chiefly a matter of increased expenditure and we cannot entirely depend upon Government help. People must come forward to bear a reasonable share of the burden and the people of Bengal are not unwilling to do it.

I need not dwell upon in detail the various stages and the result of the educational reforms To-day we are beset with difficulties on all sides. The necessary funds are not forthcoming, the existing system and the machineries

are being condemned and there is a general cry in the official circle that there has been enough of high education in Bengal. It was admitted in the India Government Resolution of 1904 that in India four villages out of five are without a school and three boys out of four grow up without education and a new start was given with the avowed object of effecting greater activities and thereby ensuring steady progress of education.* The last report on the Public Instruction in Bengal for 1915-16 shows, however, that for a male population of over 23 millions, of whom over 10½ millions are Hindus and over 12 millions are Muhammadans, there were 32 Arts Colleges with 17,226 students on the 31st March 1916, of whom 15,429 were Hindus and 1,535 only were Muhammadans. What a poor figure for our Muhammadan brethren in the matter of collegiate education! The general condition of secondary education is reported to be bad. On the 31st March, 1916, 197,530 students in all were in High schools. The number is not at all encouraging and Government must be prepared for a very large increase in the near future, at least in the Muhammadan number. The Hon'ble Mr. Hornell, in his last report, says, 'The general condition of secondary education is bad.' This statement, though bald, is not novel, and the dictum that the improvement of secondary schools is mainly a matter of funds has become a commonplace. The fact is that the secondary educational system is being run at a figure at which the genuine article, or anything approaching it, cannot be delivered Government schools which are supposed to be models are scarcely up to, in some cases they are definitely below, the standard of the better aided schools.

It cannot, however, be denied that much progress has been made specially among the Muhammadans in recent years. If the machineries can be kept in order and properly set in motion they are sure to work out the desired result in process of evolution.

Noticing very favourably the progress made by the Calcutta University, Lord Hardinge, in his Convocation address, as Chancellor of the Calcutta University, in March, 1915, observed: 'The number of Arts College students in the area under the Calcutta University between 1910 and 1914 nearly doubled, increasing from 9,000 to 18,000, the annual number of Matriculates increased from nearly 3,000 to nearly 7,000, that of the graduates trebled, Masters degree-holders quadrupled. Similarly increase has been effected almost in every branch of education.'

May I be permitted to ask, my Lord, have we got sufficient number of institutions to accommodate and train the increasing number and have we got sufficient number of teachers and professors to manage them? If not, it is no wonder that the Calcutta University is deteriorating in substance or quality as it is improving in number or quantity.

The growth and progress of education is the unavoidable work of evolution. The more education is spreading, the more are people appreciating its value and advantages. Improved facilities for communication are also an important factor for the rapid rise in the number of the recipients of education. These changed circumstances must be met and dealt with with corresponding changes in the machineries for work; otherwise the result is bound to be disastrous. If the result is not satisfactory, the defects should be detected upon proper inquiry and remedial measures should be adopted. I may be permitted to make myself clear with an illustration.

The B. A. classes in the Rajshahi College were opened in 1878 with a donation of a lakh and a half made by the late Raja Pramatha Nath Ray

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* The last Bengal census figures are—

	Total males.	Literate males.
Bengal ...	23,803,593	3,575,231 (1 : 6·6).

Bahadur, father of Raja Pramada Nath Ray of Dighapatiya, through t Rajshahi Association. It was arranged then that if at least eight stude remain on the roll in each of the 3rd and 4th-year college classes, Governm would maintain the college. The annual number on the roll in these two clas is now over 250. Maintenance of B. A. classes with a minimum number 16 students now-a-days is certainly beyond imagination. Maximum numl of students in the four college classes in the Rajshahi College has now be fixed at 750. The University was pressing for retention of six professors English, but as there were five only in the College, Government were asked appoint another in addition. The Director of Public Instruction, ho ever, asked the Principal of the College to reduce the number of admissi by 100 to meet the University demand. If this order is carried out, Gove ment shall have to suffer a loss of Rs. 400 a month in fee receipts for avoi ing a monthly expenditure of Rs. 200 or so for the pay of an addition lecturer in English. Rajshahi College is the least expensive 1st gra Government College in Bengal. I quote below the figures for the oth Colleges as given in the last Education Report :—

Name of the College	Number on the roll on 31st March, 1916.	Government expenditure per head last year		
		Rs.	A.	P.
1. Presidency College ...	... 975	237	5	7
2. Dacca College ...	... 820	171	9	6
3. Rajshahi College ...	... 774	52	12	6
4. Hooghly College ...	... 242	134	1	3
5. Krishnagar College ...	... 184	175	1	5
6. Chittagong College ...	... 264	140	13	6

May I ask, my Lord, is this the sovereign remedy for maintainin efficiency, or encouraging steady progress?

Last year nearly 250 to 300 students had to be refused admission in tl Rajshahi College. Many of them appealed to us and we suggested the openi of two more sections for the 1st and 2nd-year students for the accommodati of at least 200. Their fee-income would have been at least Rs. 800 a mont which would have been sufficient for the additional expenses necessary f the duplication. But the Principal of the Rajshahi College declined to acce the suggestion for reasons best known to him. There are economic cause I think, for this growing demand for education. The living is becomin gradually dearer and the educated communities with the rapid rise in th number are not getting sufficient employment. Thanks to the Permane Settlement the cultivating classes and with their assistance the labourin classes have improved much in Bengal. The result is that the *Bhadralo* classes are in real difficulty. They must of necessity educate their sons i order to preserve themselves. Those who remained contented in their exclu sion in the interior village life are being obliged to come to town to educat their children and for availing themselves of proper medical aid. The ol state of things has thoroughly changed. India in the pre-English perio had its own systems of education of great antiquity both among Hindus an Muhammadans. These systems were closely bound up with their respectiv religious institutions, cheap as well as suited to their circumstances. Wester science and systems of education have completely displaced those nativ systems of antiquity. It is, because of this, that ample provision for th proper education on the new western method has become absolutely necessar for these *Bhadralog* classes.

As I have already said, education is the bread question of the day Closing the door of high education is not, and will never be, the prope remedy for meeting the situation. It will simply bring in discontent an unrest if new avenues of employment be not thrown open and suitable educa tion be not provided for them.

Babu Kishori Mohan Chaudhuri.

The *Bhadralog* classes are the real backbones of society. There is a great struggle for their very existence. Education is, properly speaking, confined to this community. There is a great antiquity behind them. It is a mistake to think that they have nothing to do with the masses and they may be regarded as negligible quantities. They practically guide the masses and represent them, as the masses in India are without any education, so to speak. Society cannot ignore them and the great masses cannot do without them. The real difficulty is with these classes. Ways and means must be devised to educate them properly. The difficulty which was felt in 1854 has made its reappearance in a different shape only. It is also to my mind, my Lord, the outcome of the education policy so carefully devised and so long pursued with steady onward progress. In this connection the last administration report for Bengal is a very interesting study. It must have attracted special attention of my Hon'ble colleagues. I quote below a few passages from Chapter IV on Secondary Education :—

'The number of these (secondary) schools is rapidly increasing and the cry is for more and more. It is a demand for tickets in a lottery the prizes of which are posts in Government service and employment in certain professions. The *Bhadralog* have nothing to look to but these posts, while those who desire to rise from a lower social or economic stratum have their eyes on the same goal. The middle classes in Bengal are generally poor, and the increased stress of competition and the tendency for the average earnings of certain careers to decrease—a tendency which is bound to follow on the increased demand to enter them, coupled with the rise in the cost of living and the inevitable raising of the standard of comfort—all these factors conspire to make the struggle to exist in those classes all the keener. The situation calls for a systematic and comprehensive policy formulated with an eye to economic conditions and in full recognition of the fact that education costs something.'

The diagnosis, my Lord, is not quite correct. A mistaken ratio policy without competitive test in distributing Government services among Hindus and Muhammadans has produced a demoralizing effect. Competition for nomination is now-a-days going on between the Government officers and official favourites and the Muhammadans. The general public is gradually being excluded from this hard competition for nomination. In working out the ratio the questions of education, birth, position in society are lost sight of. Government, we are sorry, proceed upon the grand totals in the census columns. I may cite one example. I remember when the School Sub-Inspectors were appointed by the District Boards, a Government Circular letter was issued insisting on the appointments being made in every district with reference to the proportion of population between Hindus and Muhammadans. In Rajshahi the proportion was fixed at one to four, the Muhammadans being over 80 per cent. in the district. The fact, however, is that most of these Muhammadans are cultivators and labourers having no education at all. The last census report figures for Rajshahi are :—

	Population.			Literate			Literate in English		
	Persons.	Males	Females.	Persons.	Males	Females.	Persons	Males.	Females.
Hindus	315 640	164 998	150,642	31,795	28,697	3,098	4,756	4,692	64
Muhammadans ..	1,148,314	581,669	566,645	36,676	36,143	533	1,261	1,256	5

During my Vice-Chairmanship for several years I could not secure, as far as I remember, a single Muhammadan of the district for the post of School Sub-Inspector drawing a pay of Rs. 50 a month for even an undergraduate with 3 years' teachership qualifications. The limited number of educated Muhammadans has no doubt been benefited by this provision, but I do not

grudge it, as this provision has given a start for a very rapid progress of education among my Muhammadan brethren and we all are deeply interested in the cause of Muhammadan education. We know full well that Government posts are very limited in number. The Government cannot provide all. We are clamorous for Government service and overcrowd the legal and other professions simply because we have got nothing else to do. It is not a demand for the "prizes," as my friend puts it, but it is the very struggle for existence. The prize posts in Government service, specially in the Educational service, are practically monopolized by persons with good, bad and indifferent education.

Education is now no longer only a means to an end. With many it is now becoming an end in itself. Our countrymen are clamouring for high education simply because it makes them men and qualifies them for all spheres of life. It is the real preceptor of men. It makes them self-respecting and self-reliant and it fosters in them the spirit of true citizenship. Education includes learning and character. Protection and education of the people are the first charge upon the State, and protection, indeed, my Lord, does to a great extent depend upon education. The State, therefore, has always taken upon itself the imperative duty of educating the people under its charge. And it is upon the contentment, law-abiding common sense, loyal devotion and dutiful adherence of the people that the stability of the State depends.

Without general education nothing can be accomplished. So the system for general education must be thorough and complete.

There is much room for improvement and expansion of the educational institutions without throwing heavy burden upon the provincial revenues. Almost all the private institutions financed to a certain extent by private liberalities are self-supporting, if not paying. In every important centre it is desirable that there should be model institutions under Government supervision and control. There would be no difficulty if local resources and help are sympathetically utilized. Quality will also improve if accommodation and supervision are sufficiently provided for. The new college at Rangpur will, I am sure, be a great relief to the people of North Bengal. As a resident of that part of the province I wish to avail myself of this opportunity of acknowledging with sincere thanks the great services in this respect of Mr. J. N. Gupta, the popular Magistrate of the district. Without his tact, judgment, energetic devotion and above all his genuine strong sympathy for the educational advancement of the people of the Rajshahi Division it would have been impossible for Rangpur to secure this inestimable boon. Similar endeavours can successfully be made in many other places. Another 1st grade college at Dacca in addition to the new college at Mymensingh has become a necessity for East Bengal. The Secretariat Buildings may with advantage be utilized for the purpose. The 2nd grade colleges at Pabna, Comilla, and Midnapore should be raised to the status of the 1st grade college. The district authorities may be directed to try to develop the flourishing high schools into 2nd grade colleges wherever possible and wherever there is a demand for the same. Such efforts can, I think, successfully be made in Dinajpur, Faridpur, Noakhali, Birbhum and such other districts in this province. Many Middle English Schools can be developed into High Schools and all the Middle Vernacular Schools may be turned into Middle English Schools with the help of the District Boards and Municipalities supplemented by local contributions.

Duplication of classes may safely be arranged in many places without substantial Government help. The arrangement may be made temporarily at the discretion of the local authorities. The idea is not a novel one. If I remember aright, this very suggestion was made by my esteemed friend the Hon'ble Dr. Sarbadhikari in his Convocation address as Vice-Chancellor of the Calcutta University in 1915.

Mr. P. C. Mitter.

I am glad that a Commission is going to be appointed very soon, for a thorough inquiry into the Calcutta University. To my mind, it is a message of hope and we will anxiously wait for the result of their deliberations. We earnestly hope and pray that the primary stage will form an important part of the inquiry and a scheme will be evolved, and remedial measures will be adopted which will ensure the steady progress of education and will spread such knowledge in fulfilment of His Majesty's declaration as will sweeten our labour and brighten our homes.

One word more, my Lord, and I have done. I sincerely thank Your Excellency from the bottom of my heart for allowing me an opportunity of discussing in my humble way the most important and all-absorbing question of educational development in Bengal. I am sorry it is raised at the close of your administration when the gloom of separation is upon us. May the Almighty grant you health, comfort and strength to take an abiding interest in the welfare of this country."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, I confess that when I read my Hon'ble friend's resolution I thought there was nothing in it which I would support ; but after careful consideration, I have come to the conclusion that so far as the principle of the extension of high education is concerned I can give the resolution a limited support, and in coming to that conclusion I must say that I have been considerably influenced by the illuminating facts and figures which my Hon'ble friend, Mr. Hornell, placed in the last administration report on education. I find, My Lord, that altogether 17,226 boys are receiving collegiate education. Out of these 17,226 boys, 1,535 are Muhammadans. I find also that the total Muhammadan population of college-going age, taking roughly the ages of 15 to 20 to be the college-going age, is 1,027,000, and of these I find only 1,535 boys in the whole province of Bengal are receiving any kind of collegiate education. That shows that only ·014 per cent. of college-going Muhammadan boys are receiving any collegiate education.

Turning to the collegiate education of the community as a whole I find that out of a total population of college-going age of 2,028,000, 17,226 boys are receiving collegiate education. That shows that only 1·2 per cent. of boys of college-going age are receiving collegiate education. These figures show that we should have more high education. When I say this I am not at all unmindful of the fact that the great majority of our graduates and undergraduates find great difficulty in getting honourable employment, and that is a point of view which is of the utmost importance for a proper consideration of this question. But, my Lord, is the reason of such unemployment this that there is too much collegiate education or are we not to seek the reason elsewhere? For the last three quarters of a century, the Government was mainly responsible for the direction of education and the only education to which attention was directed was education of a more or less literary character. Avenues of employment which are open in all civilized countries for educated young men are barred to our young men. Employment in industrial pursuits, in commercial enterprises, in agriculture, in banking—it is needless to multiply instances—is non-existent in our country. I have heard it said and said often that the reason lies very much in the disinclination of our young men to take to such pursuits. I shall not say that there is no truth in that charge, but I say at the same time and say that with all the emphasis I can command that the reason is equally due to the want of adequate provision for proper education in these directions. My Lord, with the vast and illimitable resources of India in her natural products, with her vast forests yet unexploited, with her vast mineral resources yet undeveloped, I put it to those who are responsible for the direction of education in this

country, have any properly thought-out schemes of education seriously been attempted to be introduced in this country by which our young men after receiving a liberal education in our ordinary colleges in arts or sciences can afterwards turn to special educational institutions, so that after coming out from these institutions they will be well qualified in developing the vast resources of their country? I say, without any fear of contradiction, that there is no such institution not only in this province, but in any province in India. Therefore, looking at the figures we find that the percentage of educated young men is very small. We are also confronted with the stern fact that even a small percentage of educated young men have no means of honourable livelihood. Therefore the conclusion follows irresistibly that the education policy has not been directed in a way in which it should have been; but, my Lord, it is never too late to turn back. If we have to develop our natural resources, we have to educate our young men and we must have more high education and to that extent, therefore, I give my support to that part of the resolution.

My Lord, there is one aspect of the question which I cannot ignore, and that is the financial aspect. I feel that in the present financial condition of the country it is difficult to ask for more money even in such an important matter as general education. But my Hon'ble friend, the mover of this resolution, asks for money for general education from Municipalities and District Boards. That is a proposition to which I cannot accede. Our Municipalities and District Boards for years to come must place all their resources in solving questions which are far more pertinent to them than education, important though it is. Therefore, I support my friend's resolution so far as the principle of the extension of high education is concerned, but I am sorry that I cannot support his resolution in all its details."

The Hon'ble MR. HORNELL said :—

"My Lord, the Hon'ble mover of the resolution has given us a touching testimony of the faith which is in him. I am quite sure that no member of this Council would wish in any way to upset that faith, more especially as he has so convincingly shown us that in this matter he is entirely one with the King-Emperor, but I also gather that in advocating this general extension of the educational system he seems to think that somehow or other the Educational Department of this Government are up against him, and he has told us that statements have been made in high official circles that there is enough of higher education already and that it is time that we called a halt. I only want to say with reference to this allegation that I am quite sure that such a statement has never been made.

I do not think that the present is an occasion for going into the question, what should or should not be the educational policy of this Government, much less do I consider it to be an occasion for examining my own shortcomings or the shortcomings of the Education Department. The Hon'ble Member will have an opportunity for doing this when we discuss the Budget as a whole. We have a definite resolution before us, and I take it that it is my business to deal with the resolution as it stands, to try and see to what exactly it would commit Government and to advise the Council in view of that and that alone whether they should accept the resolution or not. The last speaker raised very many important issues. I should very much like to have an opportunity of discussing them all with him. We certainly cannot do it here or now. He is convinced that there should be more educated men in India. I should only like to say in reference to this general statement that I am quite certain that I and every other member of this Government entirely endorse and re-echo the sentiment.

Mr. Hornell.

Turning to the resolution as it stands, it advocates the taking of steps for affording further facilities for general education all over Bengal by the establishment of some more first and second grade colleges in different parts of Bengal. Presumably, by a high class school is meant what is known as a High English School, *i.e.*, a school recognized by the University of Calcutta as an institution fit to prepare candidates for the Matriculation Examination of that body. The resolution says nothing whatever with reference to technical or industrial training. It simply says that steps should be taken for affording further facilities for general education all over Bengal by the establishment of some more first and second grade colleges and High English Schools. It does not specify who are to take these steps. I listened carefully to what the Hon'ble Member said, because I imagined that he would explain in the course of his speech what the procedure the adoption of which he is advocating would be. All I can gather is that there will be local committees on which men of wealth and position, like our Hon'ble friend the mover, will vie with one another in emptying their own and other people's pockets. I can only say that every member of this Government and every member of this House would welcome enthusiastically any such development as this, but the Hon'ble mover goes beyond local committees collecting subscriptions, and here I wish to take up a point which has been raised by the last speaker. District Boards and Municipalities are to contribute to the establishment and maintenance of these additional first and second grade colleges and these additional High English Schools. But apart from the considerations raised by the last speaker, a District Board cannot legally spend money on a college. The right of a Municipality to do so is, I am told, of very doubtful legality, and I say this with the full knowledge of what the Midnapore Municipality is doing and have been doing for years in connection with the college which was transferred to them by the Local Government. Moreover, it is the view both of the Government of India and the Government of Bengal that the first educational charge on the funds of District Boards and Municipalities must be on account of primary education. Of course, the Hon'ble Member is not only a Municipal Commissioner himself, but he represents Municipalities in this Council, so it is idle for me to quote to him from the literature on the subject. But I would like to invite his attention to the Despatch of the Government of India, No. 873, dated 19th September 1916. In this Despatch, the Government of India intimated their wishes in respect of the recommendations bearing on education which were made by the recent Royal Commission on Decentralization in India. The gist of the educational recommendations of the Royal Commission was that the educational activities of local bodies should be mainly restricted to primary schools, and if the Hon'ble Member will turn to paragraph 10 of that Despatch he will read the following :—

'In the previous paragraphs of this Resolution it has been assumed that the educational activities of local bodies should, as recommended by the Commission, be confined to primary schools. As regards Secondary Institutions teaching English, the opinion of the Commission was that these should be financed by Government; and in view of the fact that so long as the expenditure on these schools rests with local bodies, these bodies are subjected to much pressure to divert to the support of these schools the funds intended for primary education, the Government of India have no hesitation in accepting the principle of the Commission's recommendations as correct. They are unable, however, in present circumstances, to meet the additional expenditure which its general adoption would involve. The financial support of secondary schools which are now maintained at the cost of local bodies must therefore, in the absence of local arrangements to the contrary, be continued for the present on existing lines, but precaution should be taken to restrict by rule any tendency to increase the expenditure of local bodies on secondary schools at the expense of the interests of primary education, and when financial conditions permit all such expenditure should be made a charge upon provincial revenues.'

Before I leave this point, I should like also to invite the attention of the Council, for the matter is, I consider, one of vital importance, to paragraph 31 of the Bengal Government's resolution on the working of Municipalities in

Bengal, 1916. The number of the Resolution is 2896 M., and it was published on the 18th of December 1916 :—

'Educational expenditure, says the Resolution, rose by Rs. 13,203 and it is observed that the whole of the increase was devoted to secondary rather than primary education. The major portion of the increase is due to expenditure on colleges and high schools in Burdwan, Midnapore and Maniktollah. The expenditure on primary schools decreased from Rs. 1,08,328 to Rs. 88,567 and the Governor in Council desires to invite attention to the principle that primary education must be the first object of municipal educational expenditure and that the municipal fund should not be utilised for secondary education intended for the benefit of well-to-do classes, until full provision has been made for primary schools.'

The same point was driven home in the Government of Bengal's latest Resolution on the working of the District Boards of Bengal. The resolution to which I refer is No. 2913 L. S.-G., dated the 19th December 1916, and it has reference to the working of the District Boards during the year 1915-16. I quote from paragraph 17 :—

'The Governor in Council considers it necessary to re-affirm the established principle that until full provision has been made for primary education in a district no part of the district fund should be diverted to the support of education of a higher kind, since this is beyond the needs of the majority of the tax-payers and may well be paid for by those who desire it and can afford it.'

As regards the second half of the resolution, the Hon'ble mover asks that circular orders be issued authorising the head masters of Government institutions to duplicate classes whenever necessary. There are a certain number of Government colleges and secondary schools and these are intended to be models. If you want to add to an institution, it is generally considered desirable that the authorities of that institution, by which I mean those who are responsible for its finances, should be at least consulted. The Hon'ble Member, however, proposes to deprive Government even of this privilege. If the head master thinks that a zilla school wants doubling, he is just to double it by the simple process of duplicating all the classes. The head master will presumably just go ahead and it will be for Government to find the money later. I can attach no other meaning to the Hon'ble Member's suggestion that circular orders should be issued authorising head masters of Government Institutions to duplicate classes wherever necessary, but I find it difficult to believe that this is what the Hon'ble Member really intends. However, I desire to join issue with him on the idea which presumably underlies his suggestion. A school is a unit, a whole. It is not a matter of indifference whether it has 12 classes or 42. There cannot be more than one head master in a school. One man cannot look after more than a certain number of boys, and personally I do not think that any school, the existing educational and social conditions of Bengal being what they are, should exceed 500 to 600 boys. When an institution runs to 1,000 or 1,200 pupils it cannot have any corporate life. It is merely a collection of classes. The classes in Bengal high schools are already far too large. Ask any teacher you like and he will tell you that it is impossible for one man to teach a class of 50. We may not be able to alter these conditions all at once. If the demand for high school education exceeds the supply, the proper way to deal with the situation is to establish more schools and not to render those which exist already more inefficient than they are. Any strong case for increasing any particular Government college or school will be considered, but Government cannot possibly pledge themselves to the issue of such orders as the Hon'ble Member has suggested. Government would welcome any reasonable proposal for the extension of sound education, but it is impossible for them to accept the resolution which is before the Council."

Babu Kishori Mohan Chaudhuri.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"I see that I have not been properly understood by some of my Hon'ble friends. My friend the Hon'ble Mr. Provash Chunder Mitter says he cannot support the financial aspect of the question. Both he and my friend the Hon'ble Mr. Hornell think that the District Boards and the Municipalities would not contribute anything. But I think I am not wrong in saying that the middle class English school and the middle vernacular schools can come under the category of secondary education and within the control of the administration of District Boards. I have said in my speech that all the middle vernacular schools should be turned into middle English schools because middle vernacular schools are of no use. English education should be introduced and if that is to be done, that can be done by District Boards. The District Funds can contribute towards it. The District Boards have got the public works cess now and a major portion of it is spent for medical aid, etc., and I do not understand why some portion of it should not be devoted to the maintenance of the middle English schools, at least those which are under the control of the District Boards. So far as the middle English and the middle vernacular schools are concerned, I think they can receive aid from the District Boards. As for Municipalities they have also got higher class English schools. So I think there should be no difficulty. As for college and secondary education I have distinctly said that the money for their maintenance can be supplemented by local help as in the case of Rangpur, where local contributions have been made to supplement the fund. Similar attempts can be made elsewhere, but the initiative must be taken by the State, and as far as I have been able to show the existing facilities now afforded by the State are not enough. The existing institutions are not sufficient.

I have been taken to task for not saying anything for technical education in this resolution I have got some other resolutions on the subject and so I carefully avoided saying anything regarding technical education here. My idea is that without general education nothing can be done whatever. Arrangements may be made for giving technical education, agricultural education and so forth, but the ground-work must be general education and for general education something ought to be done.

The Principal of the Dacca College says in his last year's report that there is not enough accommodation in the Dacca College, and I suggest that a first grade college there is an urgent necessity. Second grade colleges can also be established in several districts. The other day the people of Rangpur raised about 7 lakhs of rupees for establishing a higher grade college there. As to duplication of classes I do not mean to say that a whole school with three or four hundred boys should be duplicated. For the lower classes the excess number can be accommodated in middle English and middle vernacular schools. Only the higher classes need be duplicated, and as far as I remember this very suggestion was made by my Hon'ble friend Dr. Sarbadhikari in his Convocation address of 1915. He also suggested that duplication should be resorted to wherever possible. As I have shown in my speech, at Rajshahi the question arose of duplicating the first and second year classes. There are now about 800 boys, and we suggested that accommodation might be made for 200 boys or more. I do not mean to say that heads of colleges should be given full powers. All I suggested was that discretion should be given to the local authorities and local heads of the institutions. They should exercise their discretion in a reasonable spirit and should take sanction of their superiors. This can be satisfactorily arranged. And if we have more second grade colleges and more higher English schools, many more boys can be accommodated. There will be no difficulty. And my contention is that it is a very urgent need and should be taken up at once.

I hope Your Excellency's Government will see its way to accept the principle of this resolution. As I said the initiative must come from the State and local help can then be expected. I hope the House will accept my resolution."

The resolution was then put and lost.

LIST OF BUSINESS—ITEMS Nos. 13-17.

The following resolutions, which stood in the name of the Hon'ble Babu Kishori Mohan Chaudhuri, were, by leave of the President, withdrawn :—

This Council recommends to the Governor in Council that encouragement may be given to students in the matter of economical living by the provision of additional hostel accommodation at charges compatible with their means and family circumstances and that arrangements be made also for careful and sympathetic supervision over students whether living in hostels and messes or under the care of their guardians.

This Council recommends to the Governor in Council that arrangements be made as far as practicable for imparting moral and religious training on national lines in schools and colleges in Bengal.

This Council recommends to the Governor in Council that early steps be taken to provide facilities for imparting such education as is necessary for the development of local industries and for the utilization of local resources.

This Council recommends to the Governor in Council that early arrangements be made for imparting higher technical education to the students in Bengal by the establishment of institutions, workshops, laboratories and by arranging for the apprenticeship of students in suitable places in commerce, technology, forestry, agriculture and kindred subjects.

This Council recommends to the Governor in Council—

(*i*) that a Medical College be established at Dacca;
(*ii*) that the duplication of classes be arranged for in the existing Medical institutions in the Province, and
(*iii*) that Medical Schools be established in different parts of the Province on the vernacular basis.

LIST OF BUSINESS—ITEM No. 18.

The Hon'ble MR. H. R. A. IRWIN moved the following resolution :—

This Council recommends to the Governor in Council that if, or directly, finances permit, funds shall be allocated for the construction of the cart-road between Takdah Cantonments and Reang, in the Darjeeling district, with diversion to Lopchoo Bazar, as already surveyed and estimated for by the Public Works Department, with a view to connecting Darjeeling with Kalimpong and linking up with the Teesta Valley Railway Line, by a road suitable for wheeled traffic.

He said :—

"Your Excellency will, I think, remember receiving a deputation from the Darjeeling and Terai Planters some eighteen months ago on the subject of the roads and communications throughout Darjeeling and the Terai.

Mr. Irwin.

Whilst the district has been steadily increasing in importance with a rresponding increase in traffic, very little new work has been undertaken r some years, and communications in parts are even worse than they were n years ago.

P allu le now especially to the old military road from Kurseong to lulpur and on to Siliguri *viâ* Pankabari, the main road through the istern Terai district, which is almost impassable in the rains owing to the int of a bridge over the Rukti River.

The scheme put forward by the deputation above referred to, was of a nprehensive and perhaps somewhat ambitious character, but it received ur Exc llency's sympathetic support, inasmuch as you instructed the perinten ling Engineer of the district to go thoroughly into it and prepare rveys and estimates on the lines proposed, and you promised to give the tter your favourable consideration when opportunity and means permitted.

Surveys and estimates were duly prepare l, but, unfortunately, owing to increasing drain on funds for Imperial purposes owing to the exigency war demands, it was found impossible to proceed further with it at the e, and there the matter still rests.

Previous to this a memorial was submitted to Your Excellency by four the leading Tea Concerns of the district and many native residents ing their claim for a small section of this same scheme being undertaken, I have now been asked by your memorialists and also by the residents Kalimpong to strongly support their appeal.

It is very far from our wish to embarrass Government with claims for rofitable or unnecessary expenditure and we have qualified our request he words 'if or directly finances permit;' at the same time we may be nitted to point out the urgency of the case, so that it may be taken up he earliest possible moment.

The need of the proposed road and the district it would serve are so l known to Your Excellency personally that it is hardly necessary for to recall them to you, but for members of the Council, the majority of m are unacquainted with the locality, I would give a brief outline of facts.

At present an excellent cart-road, connecting with the main road and way line from Darjeeling to Siliguri, branches off from Ghoom and runs ar as the Takdah Cantonments, but from there to Reang, where it joins Teesta Valley Road and railway line, a bridle road only, impracticable wheeled traffic, at present exists.

Up to a few years ago this bridle road with much difficulty sufficed, but te traffic has increased to such an extent that it is quite inadequate ope with it.

The causes of this increase are briefly—

(1) The increase of tea crops due to intensive cultivation and excessive manuring with consequent extra fuel consumption entailed, thus increasing both upward and downward traffic

(2) The steadily growing population and importance of Kalimpong and consequent increase of trade.

(3) The opening of the Teesta Valley Railway Line which naturally tends to increase both upward and downward traffic as communications are facilitated.

Mr. Beatson Bell.

The benefits which may be confidently expected to accrue from the construction of this road are manifold.

(1) It would provide an alternative route from the Plains to Darjeeling *viâ* the Teesta Valley.

The need for this is apt to be forgotten through lapse of time: it was before Your Excellency's advent but I am sure you will have heard and the marks still exist of what was known as the Darjeeling Disaster.

It occurred in September 1899, when, after thirty hours' continuous and heavy rain, the railway line and cart-road between Darjeeling and Kurseong were practically wiped out and communications were entirely cut off for some time.

The heavy rain and consequent destruction was practically confined to the Balasun Valley or Western Road, and had the Teesta Valley route been open it would, as I have suggested, have provided an alternative means of communication.

(2) It would open up communications between Darjeeling and Kalimpong and so facilitate trade with Sikkim and Tibet.

(3) It would greatly facilitate the carriage of tea, foodstuffs, fuel and stores of all descriptions, the present expensive method of carriage on the backs of human beings and animals being obviated.

(4) It would greatly facilitate the transport of troops to and from the Takdah Cantonments and the frontier in case of necessity.

(5) It would considerably add to the revenue from forest produce of all descriptions by opening up forests at present useless owing to lack of or prohibitive cost of carriage.

I will not take up valuable time by enlarging, as I might, on the advantages to be derived from the construction of this road, but will commend the scheme to the consideration of Your Excellency's Council with the hope that, in the words of the resolution, funds will be allocated for the same, directly finances permit, and that it will be an instalment only of the larger scheme recommended to Your Excellency by the deputation of planters above referred to."

The Hon'ble MR. BEATSON BELL said:—

"My Lord, we have listened with much interest to the speech which the Hon'ble Mr. Irwin has just delivered. We assure him that Government fully realise that the road which he is advocating would be a very useful road. At the same time, there are many roads in many other districts in the province which might be equally or perhaps even more useful. This road, the road from Takdah Cantonment to Reang, has been surveyed and a rough estimate has been made. We have ascertained that the road would cost at least 6½ lakhs of rupees, and if we add the cost of the further diversion that has now been suggested, the diversion to Lopchoo Bazar, we can safely say that the whole project would cost at least 7 lakhs of rupees. If we had many spare sums of 7 lakhs of rupees each to allot for district roads, we might very possibly accept this resolution exactly as it stands. But I am afraid, as things actually stand, this would give rise to misapprehension and might lead the Hon'ble Member and his constituents to think that we are

prepared to allot 7 lakhs of rupees for this road in the immediate or measureable future. I, therefore, suggest to the Hon'ble Member that he should modify his resolution on the following lines :—

'This Council recommends to the Governor in Council that, when normal financial conditions are restored, he should examine the needs of the Darjeeling district in the matter of roads along with the needs of other districts in Bengal, and should see whether funds can be allotted for the construction, etc.'

If the resolution be so modified Government will be glad to accept it."

The Hon'ble MR. IRWIN said :—

"I must of course accept the Government amendment to my resolution, but I regret that it could not see its way to give a promise of a more specific nature. The district of Darjeeling including Kalimpong and the Terai has been steadily increasing in importance for some years and in the meantime very little new work in the way of roads and bridges has been undertaken, and such as has been done is quite inadequate to cope with the increasing traffic. The road I have specially asked for is one that is very badly needed and is one that would be the means of bringing in sufficient Government revenue at once."

The Resolution was then put in the following modified form and agreed to :—

"This Council recommends to the Governor in Council that when normal financial conditions are restored he should examine the needs of the Darjeeling district in the matter of roads, along with the needs of other districts in Bengal, and should see whether funds can be allocated for the construction of the cart-road between Takdah Cantonment and Reang, in the Darjeeling district, with diversion to Lopchoo Bazar, as already surveyed and estimated for by the Public Works Department, with a view to connecting Darjeeling with Kalimpong and linking up with the Teesta Valley Railway Line, by a road suitable for wheeled traffic."

Adjournment.

The Council was adjourned to Tuesday, the 13th March, 1917, at 11 A.M. at Government House, Calcutta.

C. TINDALL,
Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council.

CALCUTTA;
The 16th March 1917.

B. S. Press—18-4-1917—3317J—350—F. T. R. & J. L. C.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber, Government House, Calcutta, on Tuesday, the 13th March, 1917, at 11 A.M.

Present :

His Excellency the Right Hon'ble THOMAS DAVID, BARON CARMICHAEL OF SKIRLING, G.C.I.E., K.C.M.G., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble Mr. P. C. LYON, C.S.I., *Vice-President.*

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA, K.C.I.E.

The Hon'ble Mr. N. D. BEATSON BELL, C.S.I., C.I.E.

The Hon'ble SURGEON-GENERAL W. R. EDWARDS, C.B., C.M.G.

The Hon'ble Mr. J. LANG.

The Hon'ble Mr. B. C. MITRA.

The Hon'ble Mr. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble Mr. J. H. KEER, C.S.I., C.I.E.

The Hon'ble Mr. H. L. STEPHENSON, C.I.E.

The Hon'ble Mr. J. DONALD.

The Hon'ble Mr. F. A. A. COWLEY.

The Hon'ble Mr. W. W. HORNELL.

The Hon'ble Mr. S. W. GOODE.

The Hon'ble Mr. H. P. DUVAL.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR.

The Hon'ble IHTISHAM-UL-MULK RAIS-UD-DAULA AMIR-UL-OMRAH NAWAB SIR ASIF QADR SAIYID WASIF 'ALI MIRZA KHAN BAHADUR MAHABAT JANG, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble DR. NILRATAN SARKAR.

The Hon'ble Mr. J. MACKENZIE.

The Hon'ble Mr. G. C. GODFREY.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. R. GLEN.

The Hon'ble MR. PROVASH CHUNDER MITTER.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI, C.I.E.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. F. W. CARTER, C.I.E.

The Hon'ble SIR A. BIRKMYRE, KT.

The Hon'ble MR. E. B. EDEN.

The Hon'ble MR. E. A. MARTIN.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble MR. A. RASUL.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble MR. K. B. DUTT.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

LIST OF BUSINESS—ITEM No. 1.

OATH OF ALLEGIANCE.

The Hon'ble Mr. J. Lang made an oath of his allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.

The following Questions which had been starred were put and answered :—

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

*1. Will the Government be pleased to lay on the table a statement showing, district by district,— Landlords fees under the Bengal Tenancy Act

(*i*) the total amount of landlords' fees paid under Chapters III and IV of the Bengal Tenancy Act, 1885, since the enactment of section 18 C of the said Act;

(*ii*) such portion of the same as has been accepted by the landlords; and

(*iii*) the amount forfeited under section 18 C of the said Act?

Answer by the Hon'ble MR. KERR :—

"A statement containing the information, as far as it is available, is laid on the table."

Statement referred to by the Hon'ble MR. KERR *in his answer to Question No. 1 (starred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAI CHAUDHURI *at the Council Meeting of the 13th March, 1917, showing the amount of landlords' fees received, the amount paid to landlords, and the amount forfeited.*

NAME OF DIVISION OR DISTRICT.	Amount received.	Amount paid out to the landlord or other person duly authorised on his behalf to receive it.	Amount forfeited	REMARKS.
1	2	3	4	
	Rs.	Rs.	Rs.	
Burdwan Division ...	3,09,746	1,68,969	2,739	Figures for Western Bengal are given by Divisions as figures for districts are not readily available in respect of the earlier years. The figures entered in column 4 show forfeitures in 1915-16. Apart from these figures Government has no information regarding forfeitures, either in Western Bengal or in Eastern Bengal.
Presidency Division ...	2,82,511	1,40,047	1,063	
Dacca	40,010	6,735	...	
Mymensingh ...	30,875	9,063	...	
Faridpur	34,292	16,920	...	
Bakarganj ..	2,22,322	1,07,586	...	
Chittagong ...	1,63,824	1,03,012	...	
Tippera	42,682	15,959	...	
Noakhali	1,09,109	66,083	...	
Rajshahi	8,385	3,884	...	
Dinajpur	9,696	2,091	...	
Jalpaiguri... ...	4,488	2,591	...	
Rangpur	9,660	2,360	..	
Bogra	3,876	1,369	...	
Pabna	7,700	2,345	...	
Malda	1,583	1,047	...	

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Forfeiture of landlords' fees under the Bengal Tenancy Act.

* 2. (*a*) In view of the wording of section 18 C of the Bengal Tenancy Act, that the landlords' fees "may," unless accepted or claimed within a certain period, be forfeited to Government, will the Government be pleased to say whether forfeiture is made as a general practice?

(*b*) Under what head on the receipt side of the accounts of Government are the amounts thus forfeited, entered?

(*c*) How are these amounts utilized?

Answer by the Hon'ble MR. KERR :—

"(*a*) Yes.

(*b*) Landlords' fees, which have been declared by the Collector as forfeited, are credited to Government under the head 'XXV—Miscellaneous—Miscellaneous—Fees, fines and forfeitures.'

(*c*) They are merged in the Provincial Balances."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Deposit of rents by tenants under the Bengal Tenancy Act.

* 3. Will the Government be pleased to lay on the table a statement for the last ten years showing, district by district,—

(*i*) the total amount of rents deposited by tenants under clauses (*a*), (*b*), (*c*) and (*d*), respectively, of section 61 (*1*) of the Bengal Tenancy Act, 1885;

(*ii*) how much of the amounts deposited under these respective clauses was actually received by the persons entitled to such rents; and how much was repaid to the depositors under section 64 (*3*) of the said Act; and

(*iii*) what balance, if any, was left in the hands of Government, which was claimed neither by the landlord nor by the depositor; and the manner in which such balance was utilised?

Answer by the Hon'ble MR. KERR :—

"The figures asked for are not shown in any prescribed return and the labour of compiling them would, in the opinion of Government, be out of proportion to their value. Unclaimed items not exceeding one rupee are credited to Government after a year, and unclaimed items exceeding one rupee are credited to Government after three years. The sums so credited to Government are disbursed to the persons entitled to receive them if claimed after being so credited."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Proposed amendment of the Bengal Tenancy Act.

* 4. Are the Government in a position to announce whether an amendment of the Tenancy Act is in contemplation, and, if so, on what probable date and on what lines will such amendment be undertaken?

Answer by the Hon'ble MR. KERR :—

"Government have for some time had under consideration the amendment of the Bengal Tenancy Act in respect of three subjects, *viz.*—

(*1*) the transfer of occupancy holdings generally,

(*2*) restriction on the transfer of holdings of aboriginals,

(*3*) the recovery by landlords from tenants of cess in excess of the rate provided in the Cess Act.

Public opinion has been invited and obtained on these proposals. Government cannot yet make a statement as to the probable date on which any of the three Bills will be introduced, or as to the lines on which the Bills will be framed. The attention of the Hon'ble Member is, however, invited to the statement made by His Excellency the Governor regarding the second of these proposals at the meeting of this Council on 13th December, 1916."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Agricultural farms in Bengal.

* 5. Will the Government be pleased to make a statement showing up to date—

(*i*) the total number of agricultural farms in Bengal;

(*ii*) their average annual cost of maintenance;

(*iii*) the number of sons of cultivators and educated classes trained at such farms; and

(*iv*) the use that has been made of their training?

Answer by the Hon'ble MR. KERR :—

"(*i*) Eight.

(*ii*) The average annual cost of maintaining these eight farms during the past three years is Rs. 98,603.

(*iii*) Fifty-three sons of cultivators and thirty-one of the educated classes.

(*iv*) Sixty-two of the men trained have been employed as fieldmen demonstrators."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Co-operative movement and the artisan class.

* 6. Are the Government in a position to make a general statement showing—

(*i*) how far the co-operative movement has, up to date, succeeded in benefiting the artisan classes in rural areas;

(*ii*) how many and what percentage of the total number of the members of rural banks belong to artisan classes; and

(*iii*) what percentage of the total capital employed in rural banks has, in the last five years, gone to benefit the artisans in rural areas?

Answer by the Hon'ble MR. KERR :—

"Information is not available as to the percentage of artisans to the total number of members of rural banks, nor of the percentage of the total amount advanced as loans which has been advanced to artisans. There are 22 societies of artisans in rural areas, *i.e.*, 1 *per cent.* of the rural societies are societies of artisans."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Primary education in Bengal.

* 7. Will the Government be pleased to make a statement showing, for the last ten years, the rate of progress of primary education—

(*i*) among the artisan and cultivating classes of Hindus, and

(*ii*) among the artisan and cultivating classes of Muhammadans,

in Eastern and Western Bengal separately?

Answer by the Hon'ble MR. HORNELL :—

"Government regret that they are unable to furnish the information asked for by the Hon'ble Member, as they have no statistics from which such a statement could be compiled."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Waterways in Bengal.

* 8. Will the Government be pleased to make a statement about the condition of waterways in Bengal with special reference to rivers in Eastern Bengal?

Answer by the Hon'ble MR. COWLEY :—

" It is impossible for Government in the limits of an answer to a question in this Council to make a statement dealing with the waterways of Bengal in general or of Eastern Bengal in particular. The waterways in question number many hundreds, each with a history of its own."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Waterways in Eastern Bengal.

* 9. Has any expert inquiry been made in recent years regarding the waterways in Eastern Bengal, as in the case of the Hooghly, and, if so, will the Government be pleased to publish the result thereof?

Answer by the Hon'ble MR. COWLEY :—

" In 1909 Mr. C. A. White, Superintending Engineer, was placed on special duty to inquire into the most important waterways of Eastern Bengal and Assam. He submitted a preliminary report, which has been printed but not hitherto published. A copy is being placed on the Library table."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

The Waterways Committee.

* 10. Will the Government be pleased to make a brief statement showing the progress made by the Waterways Committee up to date?

Answer by the Hon'ble MR. COWLEY :—

" The Hon'ble Member is referred to the answer given to the Hon'ble Rai Sri Nath Ray Bahadur at the meeting of this Council on 5th March, 1917. Since its formation in 1906 the Waterways Committee has held ten meetings. It has advised Government on several important questions connected with the waterways of the province, including the project of the Grand Trunk Canal."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Mr. Lionel Curtis' activities in Bengal.

* 11. (*a*) Will the Government be pleased to say whether it is in anyways true that Mr. Lionel Curtis of the " Round Table " organisation came to Bengal for the purpose of making inquiries regarding certain matters connected with the administration of the country and that he was a Government guest in Calcutta?

(*b*) If so, have the Government any information as to the nature of his activities while he was in Bengal?

(*c*) Are the Government in a position to state whether there are any Government officials in Bengal who are helping him in the work he has undertaken or are connected with the " Round Table " organisation in any manner?

Answer by the Hon'ble MR. KERR :—

" (*a*) Mr. Lionel Curtis spent some days during November last in Calcutta. He was the guest of His Excellency Lord Carmichael during part of his visit.

(*b*) Mr. Curtis discussed many matters of public interest with some of the principal European and Indian residents.

(*c*) So far as Government are aware there are no " Round Table Groups " in Bengal, and should any such be formed, Government servants, under recent orders of the Government of India, will not be permitted to become members."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Inroads of the Bhairab on Khulna.

* 12. (*a*) Is it a fact that the river Bhairab has for some time been making inroads on certain places in the district of Khulna and that the town of Khulna is seriously threatened by erosion?

(*b*) If so, will the Government be pleased to make a statement with regard to this matter, setting forth the extent of the area so threatened, the damage already done, measures that may have been adopted or decided upon by Government for checking the ravages of the said river, and any expert assistance or advice that may have been obtained in this behalf?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) It is a fact that the river Bhairab has for some time been making inroads on certain places in the district of Khulna. It does not appear to be correct to say that the town of Khulna is seriously threatened by erosion.

(*b*) The river Bhairab is active over a short length only from its junction with the Majurkhali *khal* above Khulna down to Alaipur below Khulna, *i.e.*, over the length of the river flowing past Khulna. Between the Majurkhali *khal* and Khulna the erosion is nominal. Between Khulna and Alaipur the course of the river has considerably changed during the past 20 years, but the length of the river where erosion has been considerable during the past two or three years is limited to the bank in the immediate neighbourhood of the Khulna railway station and the foreshore between the railway station and the Public Works office. The foreshore in the neighbourhood of the railway station is the property of the Eastern Bengal Railway, who are taking such steps as they think necessary for the protection of their property. From the railway station to the Public Works office the foreshore is private property, where the owners are apparently taking such steps as they see fit for the protection of their property. As regards the policy of Government in the matter of the alluvial and diluvial action of rivers in respect to private lands, the Hon'ble Member is referred to the answer given to the Hon'ble Maharajadhiraja of Burdwan in this Council on the 23rd January, 1917."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Condition of two *khals* in Khulna.

* 13. (*a*) Will the Government be pleased to make a statement regarding the condition of the Alaipur *khal* and Santola *khal* in the district of Khulna?

(*b*) What efforts have so far been made by Government and the District Board for improving the condition of these *khals*, and with what result?

(*c*) How have internal communication, and drainage, and the sanitary condition of the neighbouring areas been affected by the drying up of these two *khals*?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) The waterway now known as the Alaipur *khal* was formerly the lower portion of the Bhairab river. It forms a portion of what is known as the Eastern Canal route to Eastern Bengal. The Alaipur *khal* has been steadily silting up, owing to the fact that the waters of the Bhairab and the Atarabanka have joined and now flow into the Rupsa. It is not now navigable even by boats of small draught. There are five main *khals* connecting the Alaipur *khal* with the *bhils* lying to the north-east These *khals* are named —Narkali *khal*, Mowbhoj *khal*, Kaliganga *khal*, Sonarkali *khal* and Koramora *khal*. These five *khals* are also deteriorating owing to reclamation of land in the *bhil* area.

(*b*) Previous to 1898, the Alaipur *khal* was periodically cleared of silt by hand labour. In 1897, the District Board of Bakarganj proposed to contribute Rs. 5,000 a year if Government would canalise the *khal*, so that regular steamer service could be maintained between Khulna and Barisal. The

Answer by the Hon'ble MR. COWLEY—*concld.*

canalisation scheme was not approved by Government. In 1898, Sir John Woodburn, the then Lieutenant-Governor of Bengal, ordered an inquiry into the silted condition of this *khal*. Inquiries were made, which resulted in a proposal to cut a channel parallel to the existing one, so that each channel could be cleared of silt in turn. The cost was estimated at Rs. 65,000, with an annual expenditure for maintenance of Rs. 6,000. Eventually the project was abandoned, because the steamer companies had opened up a fast steamer service between Khulna, Barisal and Narayanganj by an alternative route. In 1904, an estimate was sanctioned for Rs. 91,463 for resectioning the Alaipur *khal*. This estimate was subsequently revised in 1905 for Rs. 1,18,104 and sanctioned. In April 1908, an estimate was prepared, amounting to Rs. 43,091, for removing silt from the Alaipur *khal*. It was not then sanctioned, but an experiment in dredging was approved at a cost of Rs. 11,000. This experiment merely proved that the *khal* silted up to its former state within a fortnight of being dredged.

(*c*) The drainage and sanitary condition of the neighbouring areas do not appear to have been affected by the silting up of this *khal*, probably owing to the improvements in the Chitra Nadi."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Newspapers under Government patronage.

* 14. (*a*) Will the Government be pleased to state whether there are any newspapers or periodicals in Bengal which enjoy any subvention in any shape from Government funds or are purchased in a large number?

(*b*) If so, what are they, and what amount is annually credited to each of them?

(*c*) Are residents of Government college hostels, and college unions, free to subscribe to any paper, or are they required to confine their choice to any list of approved journals furnished by Government?

(*d*) If the answer to the latter part of clause (*c*) be in the affirmative, will the Government be pleased to lay such list on the table?

(*e*) Are there any papers to which the students are prohibited from subscribing? If so, which are they?

Answer by the Hon'ble MR. HORNELL :—

" (*a*) & (*b*) Yes. The Director of Public Instruction subscribes for 125 copies of the *Dacca Review* and 241 copies of the *Siksha Samachar* at a cost of Rs. 671-14 and Rs. 602-8, respectively.

(*c*) (*d*) & (*e*) It is left to the discretion of Principals to select newspapers and periodicals for the use of students in Government colleges and hostels."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Excavation of tanks in subdivisions.

* 15. Will the Government be pleased to lay on the table a statement showing the total number of tanks and wells for drinking water which have been excavated or re-excavated, respectively, during the year 1915-16, in each of the subdivisions of the districts in the Presidency of Bengal under the care of the Local Boards, District Boards and Municipalities, and the amount of money spent by each of them on these excavations?

Answer by the Hon'ble MR. DONALD :—

" A statement giving the information asked for will be laid on the table at the next meeting of the Council."

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

* 16. (*a*) Is it a fact that a Railway Guard, in 8-Down train, running from Bahadurabad to Narayanganj, on or about the 22nd January last, entered a female compartment at Narundi station and behaved improperly with two female passengers? Two railway incidents in Eastern Bengal.

(*b*) Is it also a fact that a Railway Guard of the Up train, No. 273, running from Singjani to Sarisabari, on or about the 23rd January last, entered a 1st class compartment with a public woman and travelled with her up to Sarisabari, where the said Guard molested some passengers who protested against the conduct of the Guard?

(*c*) Are the Government considering the desirability of asking the Railway Company to take such steps, as it thinks proper, with a view to prevent the recurrence of such incidents in future?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) &(*c*) A complaint was made to the Railway officials that the Guard of 8-Down Dacca section train of the 22nd January last jumped on to the footboard of the train as it was leaving Narundi Station and entered a compartment reserved for females. An inquiry into the case was at once instituted, and as the evidence obtained confirmed the statement made by the complainant, the services of the Guard were dispensed with.

(*b*) It is a fact that on arrival of No. 273 Up train of 23rd January last at Sarisabari, a passenger complained to the Assistant Station Master that the Guard of the train had brought a public woman, who travelled in a first class compartment. The woman was removed by the Assistant Station Master, who realised the necessary excess fare The Guard denied the charges brought against him. The matter was inquired into, but no evidence was obtained implicating the Guard "

The answers to the following Unstarred Questions were laid on the table :—

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

I. (*a*) Will the Government be pleased to lay on the table a list containing the number of supersessions in the matter of promotions from, and confirmations in, each grade of the Provincial Judicial Service during each of the last five years? Supersessions in the Provincial Judicial Service.

(*b*) Have the number of supersessions during the last year been much larger than during the preceding four years?

(*c*) If so, will the Government be pleased to state the reasons for it?

Answer by the Hon'ble MR. KERR :—

" (*a*) A statement is laid on the table.

(*b*) Yes.

(*c*) The High Court, on whose recommendation promotions are given to officers of the Judicial Branch of the Provincial Civil Service, did not recommend the promotion of the officers who were superseded."

Statement referred to in the answer by the Hon'ble MR. KERR *to Question No. I (unstarred) asked by the Hon'ble* RAI SRI NATH RAY BAHADUR *at the Council Meeting of the 13th March, 1917, showing the number of supersessions in the matter of promotions from and confirmations in the various grades of the Provincial Judicial Service, 1912—1916.*

	1912.	1913.	1914.	1915.	1916.
From 2nd grade to 1st grade of Sub-Judges	...	1	...	...	...
From 3rd grade to 2nd grade of Sub-Judges	...	...	...	...	2
From 1st grade of Munsifs to 3rd grade of Sub-Judges.	2	1	1	1	11
From 2nd grade to 1st grade of Munsifs ...	...	...	1	1	1
From 3rd grade to 2nd grade of Munsifs ...	...	...	...	1	3
From 4th grade to 3rd grade of Munsifs ...	...	...	...	...	1

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

Promotions in the Provincial Judicial Service.

II. (*a*) Will the Government be pleased to state whether there is any prescribed rule for gazetting the promotions in the Provincial Judicial Service within a fixed time every year?

(*b*) If so, will the Government be pleased to state the rule on the subject?

(*c*) Will the Government be pleased to state the exact number of times promotions in the Provincial Judicial Service were gazetted during each of the last five years?

(*d*) Is it a fact that promotions in the Provincial Judicial Service were gazetted only once during the last year?

(*e*) If so, will the Government be pleased to state the reasons for this step?

Answer by the Hon'ble MR. KERR :—

"(*a*) & (*b*) No rule is prescribed. Promotions are made on the recommendation of the High Court.

(*c*) 1912, once; 1913, twice; 1914, twice; 1915, twice; 1916, once.

(*d*) Yes.

(*e*) Recommendations for promotions were received from the High Court on one occasion only during the year."

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

Civil work in Mymensingh.

III. (*a*) Is is a fact that the amount of civil work in the district of Mymensingh has enormously increased during the last five years?

(*b*) Will the Government be pleased to lay on the table a list containing the number of civil cases instituted and disposed of during each of the last five years, and the number of Judicial officers employed in the district during the same period to cope with the work?

Answer by the Hon'ble MR. KERR :—

" (*a*) No.

(*b*) A statement giving the figures for the four years 1912—1915 is placed on the table. The cases include appeals, miscellaneous and execution cases Figures for 1916 are not available."

Statement referred to in the answer by the Hon'ble MR. KERR *to Question No. III (unstarred) asked by the Hon'ble* RAI SRI NATH RAY BAHADUR *at the Council Meeting of the 13th March, 1917, showing the work of the Civil Courts in Mymensingh in 1912—1915.*

Year.	Number of cases instituted.	Number of cases disposed of.	Number of officers employed in the district	REMARKS
1912 ...	101,263	102,645	27 (*a*)	(*a*) Includes— (1) One temporary Additional Judge from 12th to 31st December. (2) One Subordinate Judge for six months from 13th July, excluding the vacation. (3) Two Additional Munsifs for six months each from 24th and 28th September, respectively, exclusive of the vacation.
1913 ...	110,334	109,202	28 (*b*)	(*b*) Includes— (1) One Additional Subordinate Judge from 9th May. He was made permanent on the 2nd November, 1913. (2) Two Additional Munsifs throughout the year, exclusive of the vacation.
1914 ...	101,508	100,928	28 (*c*)	(*c*) Includes two Additional Munsifs throughout the year, exclusive of the vacation.
1915 ...	104,852	100,617	27 (*d*)	(*d*) Ditto ditto.

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

IV. (*a*) Will the Government be pleased to state, district by district, the number of licenses of all kinds granted for firearms during each of the last five years? **Licenses for firearms.**

(*b*) Is there any provision in the Arms Act, or rules framed thereunder, for requiring licensees or applicants for license to submit to any test as to markmanship?

Answer by the Hon'ble MR. KERR :—

" (*a*) A statement giving the figures for 1912, 1913, 1914 and 1915 is laid on the table. Statistics for 1916 are not yet available.

(*b*) There are no rules regarding a marksmanship test, but District Officers, before issuing a license in Form XVI for the purpose of protection, are required to satisfy themselves that the applicant or his agent or retainer is able to use the weapon."

Statement referred to in the answer by the Hon'ble MR. KERR *to Question No. IV (unstarred) as the Hon'ble* BABU BHABENDRA CHANDRA RAY *at the Council Meeting of the 13th March showing the number of licenses granted under the Indian Arms Act in Forms XV, XVI, XV. XVIII during the years 1912, 1913, 1914 and 1915.*

Districts.	Form XV. For possession of firearms, ammunition or military stores.				Form XVI. For possession of arms and ammunition and for going armed for sport protection or display.				Form XVII. For possession of arms and ammunition and for going armed for the destruction of wild animals doing injury to human beings or cattle.				Form XVIII For possession of arms ammunition and for going for destruction of wild doing injury to crops		
	1912.	1913.	1914.	1915.	1912.	1913.	1914.	1915.	1912.	1913.	1914.	1915.	1912.	1913.	1914
Calcutta (town) ...	51	47	41	4	165	201	231	282	...	...	...	...	...	...	...
24-Parganas	10	12	11	13	2,593	2,239	2,463	2,493	...	...	..	...	333	281	407
Khulna	...	...	...	...	682	601	587	574	...	...	...	...	81	74	75
Jessore	...	...	...	...	832	853	801	813	.	...	...	.	..	...	...
Murshidabad ...	...	..	...	...	655	490	517	523	..	..	...	1	...	...	...
Nadia ...	...	...	...	...	1,018	1,056	1,053	1,110	..	...	..	.	3	...	10
Burdwan ...	20	18	14	12	822	854	980	941	4	4	4	4	...	...	...
Birbhum ...	...	...	...	..	543	586	552	554	...	..	...	..	...	...	1
Bankura ...	...	...	...	...	655	618	578	580	...	5	2	3	5	.	9
Midnapore ...	1	1	1	...	1,453	1,422	1,419	1,391	6	6	9	4	...	..	...
Hooghly ...	...	...	..	...	1,163	785	751	818	..	...	...	...	..	...	..
Howrah ...	1	2	3	4	622	546	572	610	...	...	...	...	...	..	...
Rajshahi	...	...	...	...	417	412	444	459	...	...	...	..	835	754	767
Dinajpur	...	...	...	...	1,113	1,055	1,158	1,099	...	...	.	...	184	166	66
Jalpaiguri	...	...	45	136	304	287	273	292	...	..		1	294	274	306
Rangpur	...	...	...	...	561	642	642	679	11	11	12	11	539	473	403
Bogra	...	.	...	...	991	659	662	683	22	23	24	21	103	423	406
Pabna	...	...	...	..	268	280	309	342	1	2	2	2	471	413	417
Malda	...	...	...	..	318	364	340	349	..	...	...	...	455	430	384
Darjeeling	2	1	1	1	118	110	223	227	209	166	28	9	125	101	83
Dacca	...	...	...	...	793	1,055	1,113	1,106	315	340	369	330	..	...	...
Mymensingh ...	...	...	...	..	1,700	607	1,608	1,633	57	50	48	44	1,000	955	974
Faridpur	..	...	...	...	368	362	390	391	...	.	.	...	240	233	268
Bakarganj ..	...	...	..	...	129	153	149	184	...	.	1	...	...	...	...
Chittagong ..	..	...	..	...	385	378	393	405	4	4	4	4	1,210	1,208	1,239
Tippera ...	..	..	...	.	756	845	882	1,012	19	19	19	18	495	495	495
Noakhali	...	..	...	..	337	324	315	298	13	12	12	10	127	109	109
Chittagong Hill Tracts	...	.	...	..		...	...	..	.		...	...	1,801	1,783	1,541

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Rules of the Text-Book Committees.

V. (*a*) Have the rules of the Text-Book Committees in Calcutta and at Dacca been lately revised? If so, will the Government be pleased to indicate generally the lines on which any important changes may have been brought about?

(*b*) How has the constitution of the two Committees been affected by these rules?

(*c*) On what principle was the constitution of the Calcutta and Dacca Committees, respectively, so long based?

(*d*) Was there any fixed proportion of official and non-official members on these Committees?

(*e*) What were the rules governing the selection of members thereof?

(*f*) Was the choice of members, both official and non-official, confined to the residents of Calcutta and Dacca, respectively?

By the Hon'ble BABU BHABENDRA CHANDRA RAY—*concld.*

(*g*) What was the total number of members of the two Committees, respectively, and how many of them, in each Committee, are not residents either of Calcutta or Dacca, and how many of this class are non-officials?

(*h*) What has been heretofore the method of selection of text-books generally?

(*i*) How did this selection bind Government institutions and aided and unaided schools, respectively?

(*j*) Are text-books prescribed for Government schools and for scholarship examination?

(*k*) If so, what was the method of making such prescription?

(*l*) Have the new rules introduced any material changes in this behalf?

Answer by the Hon'ble MR. HORNELL :—

"(*a*), (*b*), (*d*), (*e*), (*f*), (*g*), (*h*), (*i*), (*j*), (*k*) & (*l*) Revised rules for the selection of text, library and prize books were issued in July 1916. The Hon'ble Member will be able to gather the information he desires from the rules now in force, and the rules previously in force in Western Bengal and Eastern Bengal, of which a copy has been sent to him, while another copy has been laid on the Library table.

(*c*) The principles on which the selection of the members of the Committees was based are explained in paragraph 10 of Government of India Resolution No. 64-74, dated the 8th February, 1900, of which a copy has been sent to the Hon'ble Member, while another copy has been laid on the Library table."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

VI. What progress has been made towards co-ordination of the curricula for primary schools in Eastern and Western Bengal, and when do Government expect to give effect to an amalgamated curriculum?

Primary schools in Eastern and Western Bengal.

Answer by the Hon'ble MR. HORNELL :—

"The Hon'ble Member is referred to the answer to Question No. 27 asked at the meeting of Council held on the 13th December, 1916, and to paragraph 40 of the Report on Public Instruction in Bengal for the year 1915-1916, a copy of which has been sent to him, while another copy has been laid on the Library table. The whole question is now under the consideration of a specially selected Inspector of Schools, and it is hoped that, when his report is received, the Director of Public Instruction will be in a position to submit comprehensive proposals for dealing with it."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

VII. Does the vernacular scheme of education in Western Bengal differ in any manner from that obtaining in Eastern Bengal? If so, in what respects?

Vernacular education in Bengal.

Answer by the Hon'ble MR. HORNELL :—

"The Hon'ble Member is referred to the answer to Question No. 61 given at the meeting of the Bengal Legislative Council held on the 1st September, 1913, a copy of which is laid on the Library table."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

VIII. (*a*) Will the present vernacular scheme of education in Western Bengal be materially revised on the occasion of the co-ordination of the two curricula?

Vernacular education and the teaching of science.

By the Hon'ble BABU BHABENDRA CHANDRA RAY—*concld.*

(*b*) If so, how will the present system of the teaching of science in the primary stage be affected thereby?

(*c*) How far has this system of teaching of science proved popular or otherwise successful?

Answer by the Hon'ble MR. HORNELL :—

" The Hon'ble Member is referred to the answer to Question No. VI. Until they receive the proposals of the Director of Public Instruction for the co-ordination of curricula, Government are not in a position to make any statement."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Extensions of service to Government officers.

IX. (*a*) Is there any fixed principle on which extensions of service are granted to Government officers who have attained the age of 55 years?

(*b*) Will the Government be pleased to state whether such extensions are granted as a matter of general practice, or only in exceptional circumstances? And if the latter, what are considered to be such circumstances?

(*c*) Will the Government be pleased to place on the table any circular or order that may govern such extensions?

(*d*) Are the rules governing such extensions equally applicable to all classes of Government officers?

Answer by the Hon'ble MR. DONALD :—

" The rule relating to extensions of service to officers who have attained the age of 55 years is contained in Article 459 of the Civil Service Regulations, to which the Hon'ble Member is referred. This rule applies to all officers in superior service; officers in inferior service are not bound by this rule."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Instances of extension of service to Government officers.

X. Will the Government be pleased to place on the table a statement showing the number of instances in which extensions have been granted, or refused, during the last two years—

(*i*) in the Provincial Executive, Provincial Judicial and Provincial Educational Services; and

(*ii*) in all the offices located in Writers' Buildings, Calcutta?

Answer by the Hon'ble MR. DONALD :—

" The following statement shows the number of instances in which extensions have been granted or refused during the last two years (1915 and 1916) :—

Name of service.	Extensions granted, 1915 and 1916.	Extensions refused, 1915, and 1916.
(i) Provincial Executive Service ...	11	6
Provincial Judicial Service ...	23	16
Provincial Educational Service ...	16	2
(ii) In all the offices located in Writers' Buildings	26	8 "

LIST OF BUSINESS—ITEM No. 3.

THE REVISED FINANCIAL STATEMENT.*

The Hon'ble Mr. Beatson Bell presented the Revised Financial Statement for Bengal for 1917-18.

The Hon'ble Mr. Beatson Bell said :—

"My Lord, I present to the House the Revised Financial Statement for Bengal for 1917-18. We have placed in the hands of members another Memorandum, explaining the few changes which have been made since the Financial Statement was last before the House. The House will observe an important change in connection with our income from Excise. In the coming year, owing to the continued prevalence of temperance among the people of Bengal, we have thought it wise to reduce our income by 2 lakhs. As a result, we have now to draw upon our balances to a larger extent than we had hitherto contemplated. In this connection, I think it only fair that I should explain to the House what I omitted to explain on a previous occasion that the Government of India have allowed us to dip into our balances on the express understanding that we shall make a beginning in reducing the size of some of the more unwieldy districts and in taking up some of the more urgent matters in connection with Police reforms. I make these few remarks as in many of the Resolutions which are to be moved in the course of to-day's debate, it has been assumed that we have a free hand and have been allowed to overdraw 9 or 11 lakhs of rupees for any object which may strike our fancy. It must be clearly understood that this is not the real position. With these few words, I lay before the House the Revised Financial Statement for the coming year."

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 1.

The Hon'ble Babu Ambika Charan Mazumdar moved the following Resolution :—

This Council recommends to the Governor in Council that the scheme for the partition of Mymensingh and Midnapore be postponed for the present and that the sum of Rs. 4,36,000 for that purpose be allotted to increase the grant for Sanitation.

He said :—

"My Lord, the Hon'ble the Finance Member in presenting the draft Financial Statement has told us that it does not bear any trace of the influence of the war. Indeed it does not; for although we meet here under the shadows of a terrible calamity affecting the whole world the Budget presented to us differs very little from that which one would have expected in a normal year. More than that the provisions made in certain directions notably in the case of the Police, and the general administration, are more liberal, if not actually lavish, than ever since the outbreak of the war, although in certain other directions it is extremely ungenerous, if not actually close-fisted. With the Police I shall deal later on. My present motion is with regard to the position of two of the biggest districts of Mymensingh and Midnapore for which a provision of Rs. 4,36,000 has been made in the Statement. My Lord, I do not propose to revive thorny questions of the propriety or otherwise of the scheme of splitting up the larger districts into smaller ones. Assuming for the present that for administrative convenience they ought to be divided, the issue which I would raise for the decision of the Council is,—Is it the time and is the matter of such immediate urgency that nearly 4½ lakhs of rupees should be diverted for the purpose, while the grant of sanitation has been cut down from 7½ lakhs to 2½ lakhs only? Cannot the partition of

* Not printed in these Proceedings.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR—*concld.*

Midnapore and Mymensingh wait for better times and more favourable circumstances? The end of the war is not yet in sight and I, for one, hesitate to accept either the wisdom or the propriety of incurring permanent additional burdens to an already costly administration. With the war loans on the one hand and our growing demands for sanitation and education on the other we do not yet know where we shall stand after the war. The Dacca University has practically been shelved for the present and yet we are going to spend 4½ lakhs of rupees for mere administrative convenience. Government are credited with the utmost anxiety for the improvement of the growing insanitary condition of the country, and yet there has been a reduction of 5 lakhs under this head, while an almost equal amount has been provided for the non-recurring charges of the partition of two districts. My Lord, by doing so Government are laying themselves open to grave misunderstanding, and I would earnestly request the Government to drop the partition for the present and to allot the amount released thereby for sanitary improvements."

The Hon'ble MR. K. B. DUTT said :—

"Your Excellency, in supporting this Resolution which stands in the name of the Hon'ble Babu Ambika Charan Mazumdar, I associate myself with every word which has fallen from him. I do not think that I shall be in order in questioning the propriety of the policy of Government to 'divide and rule.' But, with Your Excellency's permission, I would point out this: Is this the time, is this the season, for spending Rs. 4,36,000 for partitioning the districts of Midnapore and Mymensingh? The question, of course, has been settled that these two districts and possibly some other districts in course of time will be partitioned. This is a policy with which we are not concerned, but Your Excellency's Government ought to remember that in these very districts there are wants which have not yet been fulfilled. As far as the district of Midnapore is concerned, I know very well that for years together attempts have been made to have water-works in that district, but we could not get it, why, because no money could be had. If for that important improvement, for which the people have been crying for years together, money could not be found, is it desirable, is it statesmanlike to spend a large amount of money for the purpose of partitioning the district? The first duty of the Government, as I understand it, is to see that the people do not die for causes which can be prevented. First do that, and then give us the best rule you can. Secondly, with regard to the partition of Mymensingh, whatever the opinion may be, people who are in a position to judge, say that it is not of such imperative necessity that effect must be given to it at once. The Hon'ble Financial Member, whom I congratulate for what I might call a prosperity Budget which he has introduced, as far as administration is concerned, himself says that the 'criterion of imperative and immediate necessity' has been rigorously applied to all new schemes of expenditure. Now, has that principle been followed for setting apart this amount of money for partitioning the districts of Midnapore and Mymensingh?

In conclusion, constituted as this Council is, I must observe that we Indian members have indeed very little chance of carrying any Resolution unless we get the support of European members. On a previous occasion I begged and besought them to give their votes on the merits of the question, and again on this occasion, I shall beg of them to support us. This is not an opportune time for spending Rs. 4,36,000 for partitioning the districts of Midnapore and Mymensingh."

The Hon'ble MR. A. RASUL said :—

'My Lord, there is another Resolution (No. XVI) which stands in the name of my Hon'ble friend Mr. M. Ashraf Ali Khan Chaudhuri. That is also with regard to the same matter with the exception of the last two lines—(Rs. 2,36,000 be allotted to establish a Muhammadan College in Calcutta.'

Mr. Rasul ; Babu Kishori Mohan Chaudhuri ; Dr. Suhrawardy.

The Hon'ble MR. A. RASUL—*concld.*

As I shall have to say something on that Resolution later on, I simply want to say a few words with regard to this Resolution. Members of the Government are aware that there is a large consensus of opinion in this House, at any rate among the Indian non-official members, that there ought not to be any partitioning of Mymensingh and Midnapore. But we are not going into the history of it now as the Government have decided to partition these districts, but the Resolution says that this is not the time for partitioning these districts, and spending so much money on them and the Hon'ble Mover simply says that this scheme should be postponed for the present, and he has my hearty support, as far as that part of the Resolution is concerned. I would also support him with regard to the last portion of his Resolution that this sum, if this scheme is postponed, ought to be spent on the improvement of sanitation, but if this is not accepted by the Government, and if the first part of the Resolution is accepted, then the question will arise as to what is to be done with the money. We will have to discuss that later on, but I have great pleasure in supporting the Resolution as it stands."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, I do not wish to say much on this Resolution. I entirely agree with the previous speakers that this is not the time for taking up the partition of these two districts. It is not only for this sum, but in the near future we shall have to spend more money for creating new towns. In whatever way the sum may be utilised, I would like to say this much, that whether for sanitation or for education, whatever may be done, I fully support the view that the partition of these two districts should be postponed for the present, and the sum should be utilised for some other purpose. With these few words, I support the Resolution."

The Hon'ble DR. ABDULLA AL-MAMUN SUHRAWARDY said :—

"My Lord, when I signified my intention of speaking on this Resolution, I did so because the subject of sanitation strongly appealed to me. But going through the list of business to-day, I find there are no less than seven Resolutions which deal with the grant made in connection with the partition of Midnapore and Mymensingh. This grant like that for the reorganisation and improvement of the Police Department, comes in for a good deal of notice, and a suspicion arose in my mind as to whether the real object of the Resolution was to advance the cause of sanitation in Bengal, or whether it was an advance-guard of an agitation against the partition of Midnapore and Mymensingh ; and I am afraid my suspicion was confirmed after listening to the speeches of the Hon'ble Mover and the gentlemen who have supported the Resolution. Therefore, before I make up my mind (I was fully prepared to support the Resolution in connection with sanitation) to vote for or against the Resolution, I would ask the Hon'ble Mover to tell me frankly whether this Resolution is really a Resolution in support of the sanitation proposal, or whether it is an anti-partition Resolution in disguise. There is another consideration which embarrasses my decision. It is this : If we succeed in knocking this partition scheme on the head and setting free this four lakhs odd, will that put an end to this matter? Eventually the question will be, how to divide this 4 lakhs and odd amongst the seven claimants. Because going through the list of business I find that there are no less than 7 Resolutions in which reference is made to this sum. Leaving the last Resolution for the moment, because that Resolution merely mentions that this item be omitted, there are six Resolutions in which various demands are made upon this sum. I find that there are three Moslem Movers and three non-Moslem Movers. So we are equally divided. In the Resolution which is before the House, the Hon'ble Mover demands that the entire sum of Rs. 4,36,000 be spent on sanitation. I find also that Hon'ble Maulvi A. K. Fazal Haq also demands the same sum. The Hon'ble Mr. M. Ashraff Ali Khan Chaudhuri

Dr. Suhrawardy; Babu Akhil Chandra Datta; Maulvi A. F. Fazl-ul-Haq; Nawab Sir Syed Shams-ul-Huda.

The Hon'ble DR. ABDULLA-AL MAMUN SUHRAWARDY—*concld.*

asks for Rs. 2,36,000 for a Muhammadan Arts College in Calcutta. Then the Hon'ble Maulvi Abul Kasem asks for 2 lakhs for Junior Madrassas, and the Hon'ble Rai Mahendra Chandra Mitra Bahadur demands a sum larger than 2 lakhs for medical students (?) Of all these claimants, I would naturally support the claims of the three Muhammadan gentlemen, and I would also naturally prefer the Resolution of the Hon'ble Maulvi Fazal Haq to the others, not only because he has been the loudest in his demand, but also because his demand absorbs the entire sum and leaves nothing for the Hon'ble Mover. For these reasons, I am afraid I am not prepared to support the Hon'ble Mover, although I came with the idea of supporting him. I may say for the benefit of this Council that I take considerable interest in the district of Midnapore, and it is not that I overlook the claims of that district when I say that I do not support this Resolution."

The Hon'ble BABU AKHIL CHANDRA DATTA said :—

"My Lord, I have great pleasure in supporting the Resolution of my Hon'ble friend Babu Ambika Charan Mazumdar. I do not mean to make a speech on this motion, but I want simply to say that this is not the proper time for embarking on such an expenditure."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, I shall be very brief and I shall only say that I have always been a very great believer in partitions. I believed in that larger partition, I mean the partition of Bengal, and I also believe that these partitions, if effectively carried out, conduce very much to administrative efficiency. When questioned by the District Administration Committee on this point, I unhesitatingly gave my vote in favour of the partition of these two districts, but at the same time, My Lord, I think that the present moment is hardly the time for carrying out any expensive schemes such as the partitioning of the two districts of Midnapore and Mymensingh. I find from the list of Resolutions that although I have suggested that the projects be abandoned and the money utilised for other purposes, several Hon'ble Members have also laid claim to that money. We are all agreed that the project be abandoned. The difficulty is, if we are victorious, how are we all going to divide the spoils? My object in saying a few words at the present moment is to appeal to non-official members and to find out if there could be unanimity so far as the main proposal recommending the postponement of the projects could be accepted. If it is accepted, perhaps at some future date, we may go up to Government with a specific recommendation as to how the money should be utilised. If, for instance, the Resolution of the Hon'ble Babu Ambika Charan Mazumdar fails now, we may take it that the main projects will also be carried through, and that all other Resolutions bearing on this allotment will have to be abandoned. I, therefore, appeal to Hon'ble Members to consider this particular point and to vote keeping in view the fact that the main question is whether the partition of the two districts is to be taken up or not. If we are agreed on that, it will be time enough for us to consider how we should proceed with the other Resolutions. With these few words, I would support the Resolution of the Hon'ble Babu Ambika Charan Mazumdar."

The Hon'ble NAWAB SIR SYED SHAMS-UL HUDA said :—

"My Lord, the Resolution raises two distinct questions. The first question is whether more money is required for sanitation, the second question is whether it is desirable to postpone the partition of the districts of Midnapore and Mymensingh. As regards the necessity for more money for sanitation, I should say that I would certainly have been glad if we had more money to spend on sanitation; but at the same time, we have to recognise other claims

Nawab Sir Syed Shams-ul-Huda.

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA—*contd.*

and all these have been fully considered by Government and by the Financial Committee and the Budget represents the compromise of the various conflicting claims. I have said that we can spend more money on sanitation and would have been glad to do so, but at the same time there are difficulties which we have experienced in the past, difficulties which have become much greater under present conditions. Before the war broke out, we had an almost unlimited sum at our disposal for the improvement of sanitation in Bengal. The difficulty which we experienced was this. We expect local bodies to bring their own contributions. Some times we expect them to find two-thirds and lately we have been more liberal and have been asking them to contribute at least half the cost of a scheme. Even before the war, when Government were prepared to give loans, we found that we could not spend money because Municipalities could not raise their share of the money and the result was that when the war broke out we had a saving of about 15 lakhs which we had to surrender. These difficulties have become greater now that the Municipalities cannot get loans as they used to do before. I do not say that they are absolutely precluded from getting loans, but they do not get loans to the same extent as they used to get before, and I am not quite sure that if we had more money whether the Municipalities would be in a position to contribute their share. We have instance of money which we contributed some time ago to the Narainganj Municipality. They got the money, but they found that they could not carry out the scheme as they had not all the funds that were necessary, and so they asked Government to be allowed to invest this money and to get the interest for themselves. We declined to permit this and the money had to be brought back to us. Apart from these considerations, we have to consider the orders of the Secretary of State that we are not to spend money unless it was going to be immediately remunerative or was of imperative urgency. It is difficult to say that all the schemes that are ready are immediately urgent. We have provided for a number of these schemes within the 2½ lakhs for sanitation. We have provided for the following schemes :—

		Rs.
Calcutta—		
1.	Drainage of fringe area, Calcutta	50,000
2.	Experiment on sewerage of Calcutta	5,000
3.	Stegomyia Investigation	2,000
Malarial Works—		
4.	Anti-malarial operations in the districts	12,500
5.	Distribution of quinine to school children and Missions ...	5,000
6.	Quinine grants to Municipalities	5,000
7.	Zangipur Scheme	20,000
8.	Bardwan Flooding Scheme	50,000
Municipal Grants—		
9.	Natore Water Works	30,000
10.	Satkhira Water Works	8,300
11.	Dacca Conservancy	7,500
12.	Grants towards pay of Sanitary Inspectors	10,000
District Board Grants (c. p. 3)—		
13.	Pakarganj Free Vaccination	3,500

It is possible that there are other claims for which funds are ready, but having considered the relative urgency of the various claims, we have thought it desirable to give preference to those we have provided for and even if the partition of Mymensingh were postponed the question would still arise whether other projects which do not come within the ruling of the Secretary of State can be financed at the present moment. These are the difficulties, and therefore I am not in a position to accept my Hon'ble friend's Resolution. The question whether the partition of Mymensingh and Midnapore is urgent or

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA—*concld.*

not whether these should be carried out at once or postponed, are matters as to which my Hon'ble colleague, Mr. Lyon, will speak with much greater authority, and I therefore need not enter into these questions. All I need say is that, for the present I am not certain if we can spend more money on sanitation, and if we can spend more money, it is by any means clear that these cannot be postponed, or that they can be said to be of immediate urgency."

The Hon'ble MR. LYON said :—

"My Lord, I wish to rise to deal with that branch of this matter which has assumed large proportions in this debate, the question whether the allotment made for the partition of Midnapore and Mymensingh should be excluded in favour of an extra allotment for sanitation. This Resolution suggests a balancing between two methods of spending money with which it is difficult to deal. I have the greatest possible sympathy with the Hon'ble Member in his desire to increase the allotment for sanitation. Sanitation is an object on which we should certainly spend all the money we can get, and I should be very glad now if we could get more money for the purpose of sanitation in this Budget: but, in the present case, we are not in a position to leave out this particular allotment, nor are we in a position to say that if this allotment was taken away, we should be able to secure this money for sanitation, because, as my Hon'ble colleague Mr. Beatson Bell has mentioned, the Government of India have permitted us to dip into our balances, to go beyond our annual income, with the express proviso that we should make a beginning with the great schemes of partitioning these two districts. We are faced with yet another difficulty. There seems to be an idea abroad in the Council that this is a fine sum of money, this Rs. 4,36,000, and there is something in the nature of a general scramble as to who shall obtain it and for what purpose. We have had that suggested by two Muhammadan speakers. The Hon'ble Dr. Suhrawardy has particularly put forward the point that there are no less than seven claimants for this sum of money. Most of the schemes which these claimants urge are desirable, the very objects for which I personally should wish to spend the money, if I had it. My difficulty is that even if this money could be set free, none of these seven claimants is at all likely to get it.

This scheme for the partition of Mymensingh and Midnapore was placed before the Finance Committee and was accepted by them unanimously, and I think we have some claim on the members of the Finance Committee to support us in protesting against its removal from our Budget. And there is another point which I should like to mention before going into the question of the partition itself, and that is, that it is by the improvement of district administration that we definitely hope to be able to carry out to the best advantage all schemes for village sanitation. The reduction in the size of these large districts is an indispensable preliminary to the introduction of a properly regulated system of local self-Government. That is recognised in our schemes, and it is recognised that we cannot introduce our local units, which form the units for our present schemes of village sanitation, until we have the proper district machinery which will be able to give them the support and strength which they require.

The Hon'ble Maulvi A. K. Fazl-ul-Haq has introduced into this debate a word for which I thank him in support of the general principle of reducing the size of large districts. I welcome his support, and I go even a little further than he does. The Hon'ble Member who makes this proposal has suggested that this division of districts is a mere matter of administrative convenience. I confess that I do not understand the suggestion conveyed in the words "administrative convenience." It appears to me that the efficiency of the machinery of a district is so essential to the proper

Mr. Lyon.

The Hon'ble Mr. Lyon—*contd.*

administration of the affairs of Government, that none of these improvements in district administration for which the Hon'ble Member himself rightly clamours, such as the improvement of the efficiency of the Police, greater sympathy with the wants of the people, better supervision and support for schemes of sanitation, the spread of primary education and the like can be carried out, if the whole machinery of the district is out-of-joint, inadequate and inefficient. It is essential that we should encourage efficiency in district administration. I know that this word "efficiency" has got into bad odour, and nobody understands better than I do myself, how efficiency without sympathy in administration is ridiculous. But that does not mean that we are to elevate inefficiency into a sort of fetish. When we have a district administration we have to make it as good as it possibly can be. When we set up officers who are paid out of the public funds, they should be able to give us their best work in return, and this division of large districts is to help us to get this machinery into the best order, to allow our officers to do their best work. If we have that, we shall be able to help in suppressing crime and criminals in these districts, to prevent extortion by underlings who are so frequently left without inspection and control in unwieldy districts. The essence of all improvements in such administration is that we should have manageable districts. Now these benefits for the poor are not obtainable at the present moment, for reasons beyond our control, in the districts of Midnapore and Mymensingh. We have had this scheme for the partition of these districts constantly under preparation for the last 10 or 15 years. The scheme has been delayed by the partition and re-partition of the province, by the want of funds, by the very care and consideration we have given to local opinion in both districts, and now at last we have obtained the sanction of the Government of India to dip into our balances on this occasion to make a small beginning. I emphasize the words 'a small beginning' because the whole cost must naturally be great. But we want to begin with the acquisition of land and collection of materials in Mymensingh, and to build the quarters and so on necessary for the introduction of our schemes.

"The District Administration Committee went all over the province of Bengal, taking evidence wherever it went, and examined with the greatest possible care all matters connected with district administration; they looked into this question and considered how administration could be improved in these two districts. They considered the various means of improving it, whether by adding to the staff of District Magistrates or by devolution of work to Sub-Divisional Magistrates. They found that the enormous increase in the population, the want of communications, the large proportion of educated inhabitants and the general prosperity of Eastern Bengal, especially in parts of Mymensingh, all added to the work of the District Officer. They spoke of the work of the District Officer as being conducted 'under well nigh impossible conditions', they pointed out that an increase in the number of officers meant a permanent necessary increase in the work of inspection and control, and they came to the final conclusion that it was impossible to introduce the necessary reforms without the division of these districts. They took up especially the case of Mymensingh. They gave us very instructive figures to which I venture to call the attention of the Council. They pointed out that the division of the district of Mymensingh had been proposed first in the year 1873; and they made a comparison between the state of affairs then, when this question was first mooted, and the last figures they had, those of 1913. They found that, whereas the population of the district of Mymensingh was 2,350,000 in 1873, it had since increased to 4,500,000 and that the number of criminal cases in the district had gone up from 4,500 to 11,500. The number of witnesses examined in Court had risen from 17,000 to 36,000 and the number of pupils in primary schools from 48,000 to 77,500. This means that the work is more elaborate everywhere and cases more fully contested.

The Hon'ble MR. LYON—*concld.*

"The general figures now involved in the division of these districts may be roughly summarised as follows. Mymensingh has an area of no less than 6,249 square miles with a population of 4,500,000, and it is to be divided into three districts. The figures show that these three districts are of very considerable importance. One is to cover 1,630 square miles, another 2,009 square miles and the third 2,610, with a population of 1,360,000, 1,740,000 and 1,420,000, respectively, not too small or unreasonable districts, I think. In the case of Midnapore, with an area of 5,145 square miles and with a population of 2,820,000, there are to be two districts—one covering 2,688 square miles and the other 2,457 square miles, with a population of 1,090,000 and 1,730,000, respectively. I may point out that the district of Midnapore has very special difficulties of its own. In fact, a considerable portion of its area is inhabited by aboriginal tribes differing entirely from the population of the other parts of the district. It has also very large Government estates and canal irrigation areas and other special difficulties.

"Our efforts to meet objections locally have not been without success. I think the general impression in these districts is that some improvement and change in the administration of the district is essential. Moreover, we have carefully arranged in Mymensingh that our new arrangement should follow the development of the district railways, so that our new districts will each in themselves have a unit of a railway to deal with. I may add that, in the course of the correspondence with reference to Midnapore, a careful comparison was made between the statistics of work in that district and the statistics of the work of two other districts—neither of them light districts—Murshidabad and Chittagong, and it was found that the total work of these two districts was practically less than the work done in the district of Midnapore alone. I venture to add that I have personal knowledge of the work which has been done in these two districts, and the extraordinary difficulties under which the Collector has always laboured to look into details and to carry out the real work of the administration in a way that would enable him to help and assist his officers and so to secure efficiency for their work. This administrative reform has been examined, worked out and polished. It has been brought into accord, so far as possible, with the wishes of the people themselves. It is not to be pursued with any very great expenditure until our finances improve. The Government cannot consent to draw back. So long as these districts remain undivided, we can expect but little improvement in sanitation, because the whole unit is too big, whether it be the Collectorate or the District Board; and apart from the technical objections which I have pointed out as to the opinion of the Government of India in this matter, I would earnestly press upon this Council that the grave reasons which have induced the Government of India, the Government of this Province and the Finance Committee to place this item upon the Budget are so serious that this Council should not hesitate to confirm their action."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—

"My Lord, in rising to reply to this Resolution, I beg to point out that some of my colleagues have been labouring under a misapprehension. I have raised only two issues, one of which has been missed by some non-official members and the other has been missed by the official members of this Council who have spoken. First of all, my point is this, that you are here going to partition two districts and for non-recurring charges you allot Rs. 4,36,000. Of course, it follows that with this partition we shall have a large recurring expenditure on account of the maintenance of officers in these two districts. I have intentionally avoided raising controversial questions on the subject which, however, the Hon'ble Mr. Lyon has introduced into the discussion. Whether partition of the bigger districts is necessary or not I do not want the Council to consider at this stage. Taking it for granted that it is necessary to partition these two districts, or any other districts, which

Babu Ambika Charan Mazumdar.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR—*contd.*

Government may choose hereafter, my point is this: Is it the time or is the partition of Mymensingh and Midnapore of such immediate urgency that we should entail such an expenditure both immediate and prospective, while there are so many urgent matters demanding our attention? Notably I pointed out the question of sanitation, regarding which every member who has already spoken is in the fullest sympathy. Of course, it might be like the sympathy of James in the Bible, who sympathised with everybody but had nothing to give to anyone.

"I have been surprised by the speech made by the Hon'ble Dr. Suhrawardy, who assured me that he came to the Council full of sympathy for my Resolution, but as soon as he heard me and my friends who did me the honour of supporting it, he abruptly changed his mind. What my offence was, I cannot say. I have distinctly said that I want this money for the improvement of sanitation. Everyone of my friends agree that this partition business should be closed for the present, but some thought that the money might be made over for the improvement of education and some for the improvement of sanitation. How that changed his mind and alienated his love for my Resolution, I for one cannot understand. He might equally have said that he came to vote for the Resolution, but as soon as he heard that Baghdad had fallen, he changed his mind, and so he voted against it. Now, my Lord, I will deal with certain observations made by my Hon'ble friend Nawab Sir Syed Shams-ul-Huda. He says, if we could spend money, we should certainly spend it for sanitation. That is a position which I cannot understand, and my learned friend points out that the Government have made it a rule that the local bodies interested in the matter, namely, the Municipalities and District Boards, ought to come forward with one-third contribution, but they are not able to do so, so we could not give money to them. On this point before we proceed further, I would refer to one observation made by my friend the Hon'ble Mr. K. B. Dutt. He is a resident of Midnapore and his view ought to be considered as of very great weight, as far as the partition of Midnapore is concerned. He has told us that many projects of public utility there are hanging fire. I want to know if that is so. There are other places I know, my Lord, I need not mention them, which want to establish water-supply and drainage, but as my friend says, they are in difficulty for raising the one-third contribution. Is it not better instead of spending money for the partitition of districts for the convenience of administration, to give these places the entire money that they need without insisting on the usual one-third contribution and taking away the money because they cannot contribute? My friend recognises that situation. Is this any reason for deferring sanitary improvements? You can give this sum gratuitiously and it will not be misspent. The Hon'ble Member has said that the Secretary of State has said that we cannot spend money except on remunerative works. I have seen that Despatch of the Secretary of State myself, but unfortunately I do not read it in that light. If that is the case, then we can only grant money for railways and irrigation, but nothing else.

"The Hon'ble Mr. Lyon has dwelt at length upon the necessity of partitioning these districts. He has brought out facts and figures to show that they have a very large population and that the work is very heavy, and that there is a large number of schools and they cannot be managed by one Magistrate, and it is absolutely necessary that they should be divided into two in order that efficient administration may be maintained. I have yet to learn that division and partition, however small, will make administration efficient. If that were the case, divide Mymensingh and Midnapore into two or three or four districts. Each portion will be much larger than Bogra, Bankura and Pabna. Will the Hon'ble Mr. Lyon tell me what efficiency has been so far effected, and what improvement has been shown in the administration of these small districts? It is an ideal argument to say that if we divide

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR—*contd.*

these districts further and further until we bring each to the size of a sub-division, there would be a fine administration under a personal government; but my Lord, there is another side of the shield, of which the Hon'ble Member has lost sight. If you divide these districts into very small areas, you also take away from the power, prestige and efficiency of the District Magistrate. However, it is no business of mine to patronize the efficiency of the Magistrates. They will take care of themselves, with the Government behind them. I have heard that Government are not willing to force Municipalities upon an unwilling people. I want to know if Mymensingh and Midnapore are going to be partitioned with the free will and consent of the people concerned. The thing is that I did not raise this question at all. I say only, postpone. Let us not give a handle to misunderstanding. The people will think that Government want more officers to maintain in the two districts at the sacrifice of the health and comforts of the people. In the face of a great calamity, a small contribution for sanitation has been cut down by 5 lakhs, and doing that, we are going to spend Rs. 4,36,000 for the purpose of dividing two districts. I only ask you to wait for better times. Upon this partition does not depend the decisive battle on the western front of the European war and I submit that this partition may very well wait for better times. Let us put up at all events a graceful face. When better times return you can go on with any number of divisions and sub-divisions. My Lord, the Hon'ble Mr. Lyon has, of course, said that it is very difficult to manage big districts like Mymensingh and Midnapore. My Lord, up to this time, although I am a close student of administration reports, I have never seen in any report any criticism upon the Collectors of Mymensingh and Midnapore that they have failed to administer their districts. That is to say, they have managed their districts as efficiently as the Collectors of Bankura, Pabna and Bogra have done, and even if the two districts are divided, the Collectors of these four districts will not show any better results than has already been achieved.

"In conclusion I say, here it is a contest between a fad and necessity. I am crying for sanitation and there is the fad of efficient administration, and under the name of that fad you want to partition two districts. I hope and trust that there is enough statesmanship even in our Council just to weigh the importance of these two measures and deal with them as their urgency and importance demand."

A division was then taken with the following result :—

Ayes.

The Hon'ble Dr. Nilratan Sarkar.
" " Mr. Aminur Rahman.
" " Mr. Arun Chandra Singha.
" " Dr. Deba Prasad Sarbadhikari, C.I.E.
" " Rai Radha Charan Pal Bahadur.
" " Maulvi Abul Kasem.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Maulvi A. K. Fazl-ul-Haq.
" " Mr. A. Rasul.
" " Babu Bhabendra Chandra Ray.
" " Rai Sri Nath Ray Bahadur.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mittra Bahadur.
" " Babu Surendra Nath Ray.
" " Mr. K. B. Dutt.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Noes.

The Hon'ble Mr. P. C. Lyon, C.S.I.
" " Nawab Sir Syed Shams-ul-Huda, K.C.I.E.
" " Mr. N. D. Beatson Bell, C.S.I., C.I.E.
" " Surgeon-General W. R. Edwards, C.B., C.M.G.
" " Mr. J. Lang.
" " Mr. B. C. Mittra.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. H. L. Stephenson, C.I.E.
" " Mr. J. Donald.
" " Mr. F. A. A. Cowley.
" " Mr. W. W. Hornell.
" " Mr. S. W. Goode.
" " Mr. H. P. Duval.
" " Rai Priya Nath Mukharji Bahadur.
" " Sir Rajendra Nath Mukharji, K.C.I.E.
" " Mr. J. Mackenzie.
" " Mr. G. C. Godfrey.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. R. Glen.
" " Mr. F. W. Carter, C.I.E.
" " Sir A. Birkmyre, Kt.
" " Mr. E. B. Eden.
" " Mr. E. A. Martin.
" " Dr. Abdulla-al-Mamun Suhrawardy.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR—*concld.*

The following members were absent :—

The Hon'ble Mr. Provash Chunder Mitter.
" " Rai Debender Chunder Ghose Bahadur.
" " Mr. H. R. A. Irwin.
" " Mr. Altaf Ali.
" " Babu Mahendra Nath Ray, C.I.E.

The following members abstained from voting :—

The Hon'ble Nawab Bahadur of Murshidabad.
" " Maharajadhira Bahadur of Burdwan.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishor Ray Chaudhuri.

The *ayes* being 17 and the *noes* 25, the motion was lost.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. 2.

The Hon'ble BABU AKHIL CHANDRA DATTA moved the following Resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 3,00,000 be set apart for expenditure in 1917-18 on those schemes of sanitation which have been approved by the Government but for which no provision has been made in the Budget for want of funds ;

(*b*) the said sum be taken out of the grant of Rs. 3,00,000 for the quarters for servants of the Medical College Hospital ; or from the grant of Rs. 12,00,000 for new Police buildings.

He said :—

"My Lord, sanitation does not require any advocacy. But there are many schemes of sanitary improvements which are being put off, not because they are not immediately urgent, but because we have not got the necessary money. I propose, therefore, to examine our financial position from this stand-point.

My Lord, the whole question lies in a nut-shell. Are the Government in a position at this certainly critical moment to undertake any new schemes of reform in any department ? If our Budget is to be a War Budget in the true sense of the expression, if the financial stringency is such as to preclude the possibility of introducing any reforms and improvements in any direction whatsoever, then I should be the last man to propose what this Resolution seeks to recommend. If that is our position, then we must accept it with philosophical resignation and must wait till a better time comes. If, however, we have got money enough and to spare for new reforms, if as a matter of fact we do decide to spend money on new schemes, then the further question arises :—What is the total amount we can so spend ? How to spend it to the greatest advantage of the country and its people ? What are the improvements which are most urgent ? How to distribute the amount over the different departments ? What is the rateable and equitable proportion in which the amount at our disposal should be divided amongst the different departments ? These are considerations which should engage our closest attention.

Babu Akhil Chandra Datta.

The Hon'ble BABU AKHIL CHANDRA DATTA—*contd.*

Now, my Lord, it will be no exaggeration to say that it is now an article of faith both with the Government and the people that education and sanitation are the two most momentous problems which we have got to tackle The Government also insist that there are some reforms in the Police department which call for our immediate attention; and for my present purpose I shall concede for argument's sake that they are really urgent. The position then is this: Education, Sanitation and Police have the strongest claims on the public revenue and whatever amount of money we have at our disposal for new works should be fairly distributed over these three departments. But I regret to find that the most remarkable and regretable feature of the Budget before us is that the Police have monopolised the attention and financial resources of the Government, whereas education and sanitation are nowhere. This is an arrangement which does not and cannot commend itself to us as fair. We find that the total amount budgetted for Police improvement under different heads is about twenty lakhs, whereas we have got for sanitation not more than 2½ lakhs. You may rob Sanitation to pay Police, but the Police will hardly have any occupation if village after village are decimated by malaria. If sanitary schemes are brushed aside indefinitely, then the time will soon come when in some parts of the country the Police will have the melancholy pleasure of lording it over deserted villages. The Police will soon enjoy *sinecure* posts if the insanitary conditions of our villages and towns undermine the health of our people and crush all life and vitality out of them. The burden of the song is war and the consequent dearth of money. We are reminded in season and out of season that the Budget is a War Budget. But a glance at the Budget shows that schemes of various descriptions—schemes both large and small—have, as a matter of fact, been provided for in our so-called War Budget. Read the interminably and terribly long list of new schemes for the improvement and expansion of the Police and say if you can honestly call the Budget a War Budget. The Government have declared that rigid economy is the underlying principle of the Budget before us. Does the lavish provision made for the numerous new Police schemes show that that principle has been loyally and consistently followed? Let any unbiased critic turn his eyes over pages 6—9, 21, 22 and 29 of the Amended Draft Financial Statement and then give his verdict if he finds the least trace of a War Budget in it. The Budget, however, becomes rigidly and severely a War Budget as soon as we come to sanitation and other important matters affecting the well-being of the people. My Lord, it is a misnomer to call it a War Budget: it is a prosperity Budget so far as Police are concerned. It is pre-eminently and essentially a Police Budget. It may also be very fittingly called a 'building Budget' or 'steam launch Budget.' We have got all manner of buildings provided for—buildings for the Police, buildings on land and steam-launches on water, buildings for the servants of the Medical College Hospital and buildings for the servants of the Bethune College, buildings in connection with the partition of the districts of Midnapore and Mymensingh, buildings for Jail and Registration, and what not. The Police looms out very largely in the Budget. The sanitary improvements are also very conspicuous in the Budget, but they are conspicuous only by absence. My Lord, I invite a dispassionate judgment of the Hon'ble Members on both sides of the House if all the schemes for which so much partiality has been so unreservedly and openly shown are more urgent than sanitary improvements. I maintain, My Lord, that I cannot be gracefully put out of court on the plea of want of money. This is a case of Police versus Sanitation. The former claims exclusive monopoly of the Provincial revenues whereas the latter puts in only the modest claim of an equitable partition. But the Police in these days have a charm all their own and are not to be troubled with any misgiving or doubt that the verdict will be in their favour. But none the less the advocate of

Babu Akhil Chandra Datta; Rai Radha Charan Pal Bahadur; Nawab Sir Syed Shams-ul-Huda; Surgeon-General Edwards.

The Hon'ble BABU AKHIL CHANDRA DATTA—*concld.*

sanitation has also a duty to his client and this Resolution is only a humble, but honest attempt to do that duty. Does, the advocate of the Police taunt me and think I am crying in the wilderness? Well, he may."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said:—

"My Lord, if I might coin an expression of my own—though I am motionless' to-day I am not altogether 'speechless.' I have listened to the speeches of my friends who have preceded me, and although I sympathise with the present Resolution that more money should be allowed for sanitation, do not quite agree with him that the 3 lakhs of rupees which has been budgetted for the improvement of quarters for Medical College servants, should be taken away. This is a crying necessity, so far as we know. There have been extensive additions and alterations in the Medical College, and the Medical College to a large extent meets the wants of the Indian section of the community, to which I have the honour to belong. Therefore, I am not prepared to support my Hon'ble friend's Resolution as it now stands that the provision of 3 lakhs should be omitted and appropriated under the general head of sanitation. Of course, there are other items which might be discussed and upon which the House might, after full consideration, come to a decision whether we cannot appropriate a certain sum of money from other heads. I, being a resident of Calcutta, cannot vote for this motion as it aims at depriving the Medical College Hospital of a grant which they greatly need."

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA said:—

"My Lord, I have very little to add to what I have already said in connection with the first Resolution. All the considerations that I put before the House in connection with that Resolution apply to this Resolution also. There are only one or two small matters to which I should like to draw the attention of the House. My Hon'ble friend, Babu Ambika Charan Mazumdar, did not quote me quite correctly when he said that the Secretary of State has ordered that we may only spend money on remunerative work. I did not say that. What I said was this: That it has been laid down by the Secretary of State that that the work must be immediately remunerative or imperatively urgent. I only want to correct a misapprehension that may have been caused by my friend's reference to what I have said, and the question has to be discussed with reference to the relative urgency and importance of the claims of sanitation and the claims of the Police and of the Medical College Hospital. My Hon'ble friend, the mover of this Resolution, has drawn a very pathetic picture of village after village being depopulated by malaria. I may tell him that that if more money had been budgetted for sanitation, very little of it would have gone towards the improvement of village sanitation for we think that, with the addition of 29 lakhs to the income of the District Boards by the assignment of the Public Works Cess, the Boards ought to be able to take care of village sanitation themselves. If the object is to improve rural sanitation, even if his Resolution were carried, it would not be of much good. As regards the comparative urgency of additional expenditure on Police and building quarters for the servants of the Medical College Hospital, my colleagues the Hon'ble Mr. Lyon and other official members will speak."

The Hon'ble SURGEON-GENERAL EDWARDS said:—

"My Lord, the question is between spending money on building quarters for the servants of the Medical College Hospital and spending this sum on

The Hon'ble SURGEON-GENERAL EDWARDS—*contd.*

sanitation. I understand that the Hon'ble Mover was a member of the Finance Committee who approved the suggestion of building these quarters, and I do not understand why he has changed his mind. I maintain that the housing of the servants of the Medical College Hospital is a sanitary question of grave importance. At the last meeting of the Council, when I said that by providing quarters we would be removing a grave scandal, I think I spoke truly. The difficulty of managing a private house without any servants living on the premises can easily be understood, and if you fill this house with sick and then multiply it a hundredfold you can easily understand that the difficulty will be enormously increased. The Medical College Hospital has lately been doubled in size and naturally the number of servants has greatly increased. At the same time, thanks to the operations of the Improvement Trust, the busties near the Medical College Hospital have been removed, and therefore servants are having the greatest difficulty in securing accommodation. Some of the servants are living in the utmost misery and crawl in under the basement of the Hospital like dogs Lady Chelmsford on her recent visit was deeply distressed at the sight, and was amazed at the Premier Hospital of Bengal having no accommodation for its servants. I think the best thing I can do now is to read a note from the Superintendent of the Medical College Hospital regarding this question.

He says :—

"Fully aware as I am that the present moment is a most inopportune time to press for improvements demanding considerable fresh expenditure, I have the honour to state that recent changes and future projects leave me no option but again to bring to your notice the imperative demand for housing accommodation for the numerous servants employed at the Medical College Hospitals, the lack of which must shortly prove a public scandal. The recent changes are in connection with the scheme for providing Hostels for students belonging to the various Colleges (affiliated to the University) which has caused and is causing a rapid removal of the neighbouring busties, while the present and proposed schemes of the Calcutta Improvement Trust will shortly lead to a complete disappearance of all busties from the neighbourhood of the Medical College. The effect of these changes is that more and more of the menials employed, sleep in the compound, beneath the Hospitals, on the roofs, stairs, etc., and they are now occupying the covered passages. For want of cook-rooms the mehters, in spite of all warning, cook their food in the cholera incinerator and dhobi shed, with the result that not long ago two of them were attacked with cholera. Even this lesson has not proved a deterrent. A large number of them are forming undesirable relationships in the neighbourhood, and hence we have had unseemly rows and disputes in the compound at night, disturbing the patients, and this again would appear to have led to the acquisition of debts since the Kabuli money lender now haunts the hospital precincts in increasing numbers. The menials are poorly paid, few receiving a living wage, hence they cannot be suitably fined, and when punished, simply disappear. This causes the greatest inconvenience since work never stops day or night throughout the year. These menials must live near the Hospital. They work in shifts, they have no money to spend in tram fare and so the only way to get them in hand and under control is to provide them with quarters in the immediate neighbourhood. The housing of the poor in Calcutta is going to be in the immediate future a most difficult and pressing problem. It is essential that we should settle our part of it at once, since every day now will increase the difficulty and enormously raise the cost. If these menials get a roof over their heads we get them under control. They will throw up their present employment at a

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moment's notice and forfeit their wages. But it will require a very strong inducement indeed to make them quit their room and cook-shed. Fresh employment is easily gained but a new house never. With the provision of a home, their wives and families will return and we shall have a more contented menial staff and a freedom from the present extraordinary state of affairs now prevailing in the largest Hospital in the East."

The Hon'ble MR. LYON said :—

"My Lord, in the forefront of the reasons which I desired to put forward as to why money should not be extracted from the sum of 12 lakhs provided for Police buildings was because this had been definitely and deliberately approved by the Finance Committee. But I feel some difficulty in pressing this point upon the Council, as I find that the Hon'ble Member was himself a member of the Committee who signed that report. I am afraid that the attraction of this large sum of 12 lakhs has been too much for a good many of the Hon'ble Members who have their own projects to put forward, because I find that there are no fewer than eight claimants for some portion of this large sum. I would desire to point out, however, that although 12 lakhs appears to be a large sum, it is really $\frac{1}{12}$th of the sum that we require and urgently require for the improvement of these buildings. The Hon'ble Member in the course of his speech, when he had to deal with the question of Police, may perhaps have remembered his position in the Finance Committee and have been reduced for that reason to calling the Budget names. He called it a 'prosperity and police Budget', 'a building and steam launch Budget' and so forth. This introduced a touch of humour into our debate but I do not think that it was a very serious contribution to the discussion as to how we are going to spend the small sum at our disposal. Now, I must again reiterate the fact that it was recognised in the report of the Finance Committee that the Government of India had sanctioned our dipping into our balances on this occasion in spite of war conditions, for the definite purpose of starting the scheme for which I have the honour to speak just now, that is, of improving Police conditions and starting our Police building projects. Everybody, I think, in this Council, will agree that the question of the reform of the Police is one of the greatest importance. The Hon'ble Member proposing this motion has himself recorded the fact. Now it is very difficult indeed to decide on what lines we can best reform the Police, but I venture to suggest to this Council that the improvement of the buildings in which the Police live in the mufassal is one of the most important items in our scheme of reform. Looking back upon the papers in the case, I find that the Police Commission of 1902-03, who spoke with unquestionable authority and upon whose recommendations, which were expressed in the most frank and sympathetic manner, many reforms have been based, definitely reflected, upon the state of the Police buildings in Bengal. They spoke of the inadequacy of these buildings generally, which was 'particularly noticeable in Bengal', and it is unfortunate that the magnitude of the programme involved in tackling this question, the inadequacy of the resources of the Government and the disturbances which were inevitably caused by the partition and repartition of provinces, have forced us to delay this reform so long. When the District Administration Committee went round, they also had the same reason to complain of Police buildings. They condemned many of the *thanas* as miserable structures. The Government of Bengal in referring the matter to the Government of India last September, described a large number of them as erections of mud and bamboo and thatch originally put up by chaukidars and villagers, with living quarters frequently unfit for human habitation which had now been reduced to a disgracefully unhealthy and insanitary state, with disastrous

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effects upon the self-respect, health and discipline of the Police and consequently upon recruiting. It is essential for us, if we are going to preserve the self-respect of the Police, to reform the conditions and surroundings in which they live, and I believe this Council will realise that nothing will improve the efficiency and morale of the Force so rapidly as the provision of decent quarters, including married quarters where the men can live with their families. It will improve their health and their self-respect, it will make the position of the Police officer in the mufassal a valuable one, and not one to be lightly given up, and it will therefore introduce a certain amount of self-control. A comprehensive survey of the whole position, prepared by the Inspector-General of Police and based partly on investigations made in Eastern Bengal before the partition, disclosed the need for an expenditure of nearly 1½ crores of rupees for the accomplishment of a complete programme. The Police Commission laid down that all Sub-Inspectors and Head-Constables should be provided with quarters, and in order to do this in Bengal, we shall have to spend no less than 36 lakhs of rupees. This sum of 12 lakhs is merely a small beginning to enable us to tackle a part of this programme of 1½ crores. It is in reality a modest proposal. We propose to spend 5 lakhs on the rebuilding of old quarters and on building new quarters, and 7 lakhs on the acquisition of land that is necessary and for the collection of materials. I would deprecate very strongly any interference with the allotment of 12 lakhs for this purpose, and I trust that the Council will realise the extreme importance of reforming the Police through this valuable item in our programme and will not ask us to alter this allotment."

The Hon'ble BABU AKHIL CHANDRA DATTA said :—

"My Lord, I am sorry my Hon'ble friend Rai Radha Charan Pal Bahadur has opposed this resolution simply on the ground that in his opinion nothing should be taken out of the grant of 3 lakhs for building quarters for Medical College Hospital servants. My Hon'ble friend has lost sight of the alternative suggestion that was contained in this Resolution that the sum may be taken either from this or from the grant of 12 lakhs allotted for new Police buildings, and therefore I take it his opposition is not really opposition. It has been said that the task of sanitation is so stupendous that if a grant is made for a further sum, say for 3 lakhs, even with that we cannot make any appreciable advance in the matter, and that even then it is quite possible that rural sanitation will not be in any way improved. Of course I do not mean to suggest that as soon as this amount of 3 lakhs will be set apart for expenditure on sanitation in this year, 1917-18, the millenium will come at once and that there will be no further complaint about sanitation. Precisely because the task is stupendous, that is an additional reason why we should advance step by step however slight it may be. Then it has been said that as I happened to be a member of the Finance Committee, therefore I agreed to the grant for the servants' quarters. In this connection it is only fair to myself to say that I along with one or two other friends did object to this, but it was accepted by the majority, and when the report was sent to me for signature, I was thinking whether I should make any mention of that, and whether that would serve any useful purpose, and then without making any special mention of this, I signed the report. If that makes it unanimous, of course it is unanimous. But that is what as a matter of fact happened in the Finance Committee. So also about the other item of 12 lakhs for buildings for the Police. There was protest on my part, and I signed the report under protest.

"It has been said that the provision of quarters for servants in the Medical College Hospital is an absolute necessity. I do not for one moment dispute that they are necessary, but I am not prepared to admit that it is an absolute

Babu Akhil Chandra Datta; Maharajadhiraja Bahadur of Burdwan; The President; Maulvi Abul Kasem.

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necessity. There is nothing in the budget about which one can say that it is absolutely necessary. The essence of the matter is the relative importance of the different schemes. The question is whether this is the time for spending 3 lakhs of rupees for these quarters; if they are an absolute necessity, how is it that they have been put off all this time? Was it put off till the return of better times? and is it taken up now because that better time has come? So that is a ground which does not affect the resolution.

"Then, my Lord, it has been said by the Hon'ble Mr. Lyon that police buildings are absolutely necessary for the police in the mufassal. This is also a proposal which I need not dispute. I have got some relations in the police. I shall perhaps enjoy some day the fruits of this grant, when I visit those relations. But the same question arises again. Is this the time for building police buildings at a cost of 12 lakhs? You have waited all this time. Could you not wait a little longer? The question of the reform of the police is an old question; it has been hanging fire for a long time. Cannot we wait for some time more? Besides, all the Government officials have to find their own accommodation. Police officers may do the same thing until at all events better times return when the Government may be in a position to grant lakhs and lakhs without prejudice to any other schemes."

The motion was then put and lost.

The Hon'ble MAHARAJADHIRAJA BAHADUR OF BURDWAN said :—

"My Lord, may I rise to a point of order? Could not Resolutions Nos. III, IV, V and VI be taken together, as they refer to the same subject?"

The PRESIDENT said :—

"Resolutions Nos. III to VI may be taken together. I mean that the mover of Resolution No. III will move that Resolution first and if the other speakers wish to speak in connection with the points raised in the other three Resolutions, I will not rule them out of order, but each Resolution will be put to the vote separately. I shall, therefore, now call upon the Hon'ble Maulvi Abul Kasem to move Resolution No. III."

APPENDIX TO THE LIST OF BUSINESS—ITEM No. III.

The Hon'ble MAULVI ABUL KASEM moved the following resolution :—

This Council recommends to the Governor in Council that out of the lump provision of rupees nine lakhs for improving the training and pay of teachers, the sum of rupees two lakhs be earmarked for improving the pay of teachers in primary schools.

He said :—

"I do not think that this resolution requires many words from me to recommend itself to Your Excellency's Council. The demands of primary education have been pressed before the Government by all sections of the community, and I want only to say that the teachers of primary schools deserve some special consideration. So far as my experience goes I find that these teachers of primary schools receive a very small pay, sometimes even much smaller than the menial servants of gentlemen in Calcutta and the

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mufassal. It is quite reasonable, now that the Government of India have granted us an additional sum of 9 lakhs specially for the improvement of the pay of teachers, to expect that 2 lakhs at least will be earmarked for the improvement of teachers in primary schools."

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI said :—

"My Lord, in rising to support this resolution I might just as well say that to try to emphasize the importance of primary education would be as if I were trying to paint the lily. It requires no argument, my Lord, and it would be simply waste of time and therefore it follows how important it is to increase the pay of the teachers of primary education. They would teach the boys who in future would be good citizens and would shine forth in this world. Therefore everything depends upon these teachers, and the authorities know it very well, and I hope that the Hon'ble Mr. Hornell will also admit that these teachers get a very small pay."

The Hon'ble MR. HORNELL said :—

"My Lord, on the question of the claims of primary school teachers, I propose to say very little, because there is a resolution (No. VII) which deals with the progress of primary education, and the Hon'ble Member in charge of the Education Department is going to deal with it. I should, therefore, only waste time if I went into any great detail on this point. Besides, it seems to me to be unnecessary. All that I need say is this. Personally, I shall be exceedingly disappointed if two lakhs of rupees at least are not devoted to improving the pay of teachers in primary schools. I say this not merely because the miserable pittance which the majority of primary school teachers now receive is a disgrace; but wholly because the present educational system rests upon a basis so narrow that it is not, in my opinion, contributing, as it should contribute, to the development and progress of this Presidency. As I have said over and over again in this Council, until we can somehow or other secure funds to enable us to pay a living wage to a primary school teacher, it is misleading to talk of a primary school system at all. More money for primary school teachers is an essential condition even for securing for our present arrangements some small degree of stability. That Government are not in a position to earmark definitely at this moment any particular amount for any particular kind of training is mainly, I think, due to the position in which we find ourselves with reference to this assignment. This assignment has come suddenly and rather as a surprise. We have received no orders from the Government of India about this grant. We have been merely told that we shall get nine lakhs for improving the pay and training of teachers. The exact purport of these words is not altogether clear. It appears that the grant is intended to cover (*a*) the improvement of the pay of teachers, and (*b*) the improvement of the existing training facilities for teachers. In that case, new schemes for the training of teachers are, it seems, excluded. With this, I shall have to deal later. It might be argued, on the other hand, that a new scheme for the training of teachers, *e.g.*, such a scheme as would be involved in the adoption of some new machinery for training Moslem teachers of classical languages, might legitimately be regarded as within the scope of the grant. There is a certain amount of doubt as to the scope of this grant, and I hope that this doubt will be quickly cleared up. I want, therefore, to assure the Hon'ble Member who has moved this resolution and also the Hon'ble Members who have moved the next three resolutions that we do not desire in the least to meet their suggestions with the usual official attitude of *non possumus*. We undertake that their suggestions shall have every consideration, when the distribution of the grant is being worked out."

Maulvi Abul Kasem : Maulvi A. K. Fazl-ul-Haq.

The Hon'ble MAULVI ABUL KASEM said :

"After the remarks that have fallen from the Hon'ble the Director of Public Instruction, I beg to withdraw my resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. IV.

The following resolution stood in the name of the Hon'ble Maulvi Abul Kasem :—

This Council recommends to the Governor in Council that out of the lump provision of rupees nine lakhs for improving the pay and training of teachers, the sum of rupees one lakh be earmarked for the improvement of the pay of Muallims in maktabs.

The Hon'ble MAULVI ABUL KASEM said :

"After the remarks made by the Hon'ble the Director of Public Instruction, I beg to withdraw this resolution also."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEMS Nos. V and VI.

The following resolution stood in the name of the Hon'ble Maulvi A. K. Fazl-ul-Haq :—

This Council recommends to the Governor in Council that out of the lump provision of nine lakhs of rupees for improving the pay and training of teachers, a sum of Rs. 50,000 be set apart for the improvement in the teaching of Arabic, Persian and Urdu in secondary schools.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :

"I do not know after all that has been said by the Hon'ble the Director of Public Instruction, that I ought to press resolution No. V. I have every hope and confidence that the Director of Public Instruction will see that at an early date a sufficient sum of money is set apart for the improvement in the teaching of Arabic, Persian and Urdu in secondary schools. I may also remind him that at the Conference which we held as members appointed for considering schemes of Muhammadan education, this was one of the specific resolutions that we recorded, and I have no doubt that the Director of Public Instruction will take all possible care to do what is necessary for the improvement of the teaching of these languages in Secondary Schools."

The resolution was then, by leave of the President, withdrawn.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ also withdrew the following resolution :—

This Council recommends to the Governor in Council that out of the lump provision of nine lakhs of rupees for improving the pay and training of teachers, a sum of Rs. 50,000 be set apart for the training of Muallims.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. VII.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved the following resolution :—

This Council recommends to the Governor in Council that the provisions made under the head Police be considerably reduced and that at least a sum of rupees 5 lakhs be provided for the expansion and development of Primary Education in addition to any grant that may be received from the Imperial Revenues, the heads and allotments proposed for reduction being the following :—

(*a*) Reorganization of the Police Department in connection with the reorganization of the Eastern Bengal Police, Rs. 3,00,000.

(*b*) Police buildings, Rs. 12,00,000.

(*c*) Construction of steam-launches for the River Patrols of the Presidency Police, Rs. 2,10,000.

He said :

"My Lord, over and above the ordinary expenditure on Police, various sums aggregating to Rs. 18,10,000 have been provided in the Draft Statement for the accommodation and reorganization of the Police under the following heads :—

		Rs.
1.	Reorganization of Police service in Eastern Bengal ...	3,00,000
2.	New Police buildings	12,00,000
3.	Construction of steam-launches for the River Police, Presidency Police	2,10,000
4.	Works in progress in connection with the reorganization in Eastern Bengal	1,00,000
	Total ..	18,10,000

Out of this, the sum of Rs. 1 *lakh* allotted for the completion of buildings already under construction cannot but be allowed to stand; but I object to the remaining 17 *lakhs* which are intended altogether for new works and measures. We are not very proud of our Police and I do not realize the justification of such lavish expenditure on their account unless some definite scheme is arrived at to make them more efficient and useful to the public. At all events, my Lord, I think that brick and mortar will not make the Police very efficient, already the Police expenditure is very heavy and no more large sums should be spent on the Police such as it is at present until the pressing demands on other departments are fairly satisfied. My Lord, primary education is one of those important matters which have long waited for a satisfactory solution and ought not to wait longer. The grant for this branch of education under the proposed budget is in all probability to be the same as it stood last year. There are 40,000 primary schools in Bengal with a population of 13 *lakhs* of pupils. We may be proud of this progress in comparison with the other provinces; but it ought to be remembered that compared to the vast population of Bengal, this progress is extremely inadequate. Calculating children of school-going age at 15 per cent., their number is no less than 12,000,000, and if, out of this large number of boys, only 13 *lakhs* are at school, we can at once see what a large proportion of our boys are left to grow up in darkness and ignorance. It may be a very remote date when every village in Bengal will be provided with a primary

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school or a *pathshala ;* but there is no reason why we should not strive to give some education to more than 6 or 7 per cent. of the poor village boys by yearly increasing the primary schools and *pathshalas* and by giving a little more than a miserable pittance of 3 or 4 rupees to a teacher who necessarily gives the best sort of his time in his village shop or in the field to eke out his existence and then gives only 3 or 4 rupees worth of training to his boys collected during a spare hour of the day.

My Lord, I do not plead for substantial buildings or for benches and chairs for these schools. I only wish that this vast number of boys who are growing up in ignorance might be taught to read and write regularly even though sitting under the shade of a village tree or in a cowshed. I submit that in the face of the very growing demands of the people this extravagant provision for Police buildings and reorganization and so forth ought not to be allowed to stand ! The point has been very largely elucidated by the Hon'ble Mr. Lyon as to how our Police Officers require quarters ? I admit that they do and, for the matter of that, who do not require good quarters ? I believe all other officers of Government have to provide themselves with accommodation and the Police Officers may do the same. I therefore earnestly request the Government to reduce the Police expenditure under the heads noted above and to allot at least 5 *lakhs* of rupees from these savings for the further expansion of primary education. We are not very sure that the Government of India can be very liberal in its grant for education this year, and this 5 *lakhs* should be in addition to whatever grant we may receive from the Imperial Revenues for the purpose."

The Hon'ble MR. LYON said :

"My Lord, I feel that, so far as this question of Primary Education is concerned, the Director of Public Instruction might have been able to explain the matter more adequately to the Council. On the other hand, as the funds attacked by the Hon'ble Member in his desire to help primary education are all included under the head of Police, which is also in my charge, I have thought it best that I should deal with the whole of the resolution.

The Hon'ble Member has suggested that this Government has not done all that it could in securing adequate progress in primary education. I do not think that the figures which I have to put before this Council will entirely support that view, and at the beginning I would say that we have, as a Government, the greatest possible sympathy with the Hon'ble Member's motion and his desire to spread and develop primary education as far as it can possibly be developed and spread in Bengal. And we have shown that sympathy in the most practical possible way. I would also invite his attention to the fact that we have now a recurring sum of 9 lakhs to distribute for the training and improvement in the pay of teachers. As the Hon'ble Mr. Hornell has intimated, it is certain that we shall devote at least some part of this grant to improving the pay and position of primary teachers.

There is one technical objection to the Hon'ble Member's proposal which I wish to mention, but I do not wish to lay absolute stress on it in this Council, because I would rather meet the Hon'ble Member on the merits of the case. The technical objection is that the Hon'ble Member asks us to spend 5 lakhs on the expansion and development of primary education, which obviously will be a recurring charge, from three heads all of which are non-recurring, so that the financial effect of the proposal would be that we should provide for the expenditure in the current year only, leaving the future to take care of itself, which is hardly a sound financial proposition.

The Hon'ble MR. LYON—*contd.*

As to the question of primary education, I wish to give some figures with reference to the actual progress that has been made during the last few years, especially from April 1st, 1911, to March 1916. Out of these five years, four have been under Your Lordship's rule as Governor of Bengal. I hope that the House will bear with me if I give them somewhat elaborate statistics. The figures have been compared from 1901-12, practically to the present day.

	Schools	Pupils.	Expenditure
			Rs.
1901-02 ...	24,844	646,306	14,10,457
1906-07 ...	24,062 + 218	715,103 + 68,797	16,06,174 + 1,95,717
1910-11 ...	23,887 - 175	806,192 + 91,089	18,83,928 + 2,77,745
1915-16 ...	31,612 + 7,725	1,124,109 + 317,917	37,17,242 + 18,33,314

I think this enormous increase, especially that in the last five years, will satisfy the Hon'ble Members of Council that we have not neglected primary education.

I have also accumulated a large mass of figures on the subject of the distribution of funds in hand, to show how we have spent them and on what items. And I will add some further figures to show that our sympathy with primary education has actually and quite reasonably been extremely practical. Up to last year we made various tentative distributions of funds, and we gave District Boards temporarily certain funds which were in our possession; but during the last two years we have made definite and final permanent distributions of funds to District Boards and Municipalities for the improvement of primary education. We have, for instance, given from the year 1916-17 a sum of Rs. 98,276 for the maintenance of primary schools formerly transferred to them and also a sum of Rs. 95,276 for the maintenance of new schools built in and after 1913-14. We have also provided Rs. 65,200 as the annual cost of Government schools, Rs. 39,532 as annual grants-in-aid to maktabs and Koran schools, and Rs. 1,16,268 as Government contribution for the maintenance of Board primary schools established before 1913-14. From next year, 1917-18, we propose to make the following further permanent distribution, of Rs. 5,01,724, for the enhancement of the pay of teachers in Board and aided primary schools and maktabs, and Rs. 67,248 for increase in the pay of trained teachers in primary schools and maktabs by Re. 1 a month. There is yet a great deal left to be done but we are going ahead and the Education Department is paying the closest attention to this important subject. And we have now also a new grant of 9 lakhs of rupees, which has been placed at our disposal for all teachers and their training.

As to the funds from which it is proposed to draw this money, I must emphasize the fact that these are non-recurring sums, and if we did finance this sum of 5 lakhs out of it, we should be left still to make provision for recurring expenditure next year. The proposal of the Hon'ble Members, therefore, is not feasible.

Now, as to the various heads from which the Hon'ble Member proposes to take this sum. I have already dealt with one of them at some length, and I do not wish to trouble the Council again with any further remarks on that subject. The Hon'ble Member has taken up a position which, I think, he will find it rather difficult to defend. He wants a definite scheme for the improvement of police, and yet he says that this improvement should not be

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The Hon'ble Mr. Lyon—*concld.*

taken up until other departments have been served. He depreciates the Police and the work they do, while at the same time refusing to help in rendering them more efficient. He speaks of the housing of these poor men, often called upon to do extremely difficult and harassing work in water-logged and malarious tracts, as a luxury. He has the Police Commission against him in these matters, and I do not think the Hon'ble Members of this Council are likely to support him.

I take now the definite sum of 3 lakhs for new buildings for the Police, which is apart from the 12 lakhs to which I have already referred. This non-recurring Imperial grant was made for the improvement of the Police in Eastern Bengal, and sanction was specially accorded to this grant for this purpose, and it remains under this head in our building project. We cannot very well touch it. It is part of the Eastern Bengal scheme for the improvement of the efficiency of the Police by subdividing Police jurisdictions and rendering the Police of Eastern Bengal more adequate. The large increase of population in the last 10 or 15 years is partly the reason for this change. It has also been found that temporary buildings have proved wasteful and disastrous to the health of the force, and consequently it was necessary for us, when establishing these new thanas, to give them proper buildings. Every detail of this re-organization was considered with great care some years ago and we have been gradually carrying it out, with some delay owing to the outbreak of the war. I would call attention again to the fact that this sum is apart from the 12 lakhs grant which is set apart for the improvement of the existing *thanas.*

There is another item, the Calcutta river patrols. This again is a non-recurring head which can hardly be applied to recurring expenditure. I should like to explain the necessity for this item. A special enquiry was made a year ago to enquire how far the port of Calcutta was protected against the illicit importation of arms and ammunition as well as such articles as opium and cocaine. I need not enlarge upon the necessity that has arisen for taking precautions against the illicit importation of arms and ammunition into India. Undoubtedly, the Hon'ble Members of this Council and the outside public will realise the grave danger there is of allowing those who are plotting against the safety of the Crown with those who are our enemies in this war to help and assist revolutionary work in India by the importation of arms and ammunition, and I claim that this allotment is made as a part of a scheme for placing us in a better position to deal with such nefarious practices. Various schemes were proposed to give us greater strength against such efforts and attempts, such as the fencing of the foreshore, the enclosing of the docks, and so on, but the final decision arrived at by the experts was that the best remedy lay in improving the river patrols to enable our Police to deal with the trouble at its source. It was found on enquiry that the river Police was very inadequately equipped for this purpose. It was inadequate in strength and had only two obsolete launches. We have accordingly found it necessary to provide them with an Inspection launch, able to go far down the river, and five other launches for subordinate Police officers and the force. It is proposed to begin with the five launches at present. We can do nothing really to secure ourselves against the illicit importation of arms until we have these launches, and the danger that exists is obviously a danger which must be met quickly. I venture, therefore, to assure the Council that while we are doing all we can to help primary education and are about to spend larger sums of money upon it, we should not reappropriate for recurring expenditure sums provided once and only once in the budget for the next year, and we should not attempt to obtain funds from items in the budget which should be immune from attack, owing to their extreme urgency."

The Hon'ble Babu AMBIKA CHARAN MAZUMDAR said :—

"In reply I have only to make a few observations. The Hon'ble Mr. Lyon has shown that we have made some progress in primary education. No one disputed it, and I do not dispute it, but because we have made some progress in education, it does not follow that we should incur very large expenditure for Police accommodation. I do not think there is much connection between the Police and primary education, except that both begin with a P. Of course I have said enough regarding this extravagant provision, and I do not think, at all events, my Lord, I am not convinced, that a case has been made out by the Hon'ble Mr. Lyon that there should be this large grant for the Police and that no further grant can be made for primary education.

As regards the technical objection that Police buildings, etc., are non-recurring charges, but the grant for primary education would be recurring, I do not think that this is a very insuperable difficulty. If the Police allotment can stand over, I think we can see our way to make a recurring grant though not to the same extent, but to a smaller extent for the purpose of increasing primary education. But as I have said enough on the point it seems to me to be unnecessary to dilate on the matter. My last word is that primary education ought to have precedence to Police accommodation."

The motion was then put and lost.

APPENDIX TO THE LIST OF BUSINESS—Item No. VIII.

The Hon'ble BABU AKHIL CHANDRA DATTA moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 3,00,000 be allotted for starting free primary schools in some selected areas in Bengal; and

(*b*) the said sum be taken out of the grant of Rs. 12,00,000 for new Police buildings or from the amount of Rs. 4,36,000 budgetted for land acquisition and buildings in connection with the partition of the districts of Midnapore and Mymensingh.

He said :—

"My Lord, the doctrine of free and compulsory primary education has been accepted by the Governments of all civilised countries. It has long passed from the domain of abstract theory to that of practical politics. In fact it now forms the very foundation of the educational system which is now actually in operation in all civilised countries.

My Lord, the people of this country like the people of all other countries feel, and feel very strongly, that it is their primary right to receive free primary education no less than it is their primary right that their person and property should be made secure. It is no less a sacred and imperative duty of the Government to provide free elementary education than it is for an individual member of the society to send his own children to school. An educated and responsible father cannot shirk the duty of educating his children any more than he can neglect the duty of protecting them from hunger and cold. The one duty is as obligatory as the other. So also with all civilised Governments. Peace and order must be maintained. The wolf of hunger must be shut out. But the duty of turning out the demon of ignorance is no less obligatory on the Government. I need scarcely remind the Council of the well-known dictum of Adam Smith that whatever may be the duty of the State with respect to the education of the rich, education of the poor up to a certain standard is a matter which deeply concerns the commonwealth.

Babu Akhil Chandra Datta.

The Hon'ble BABU AKHIL CHANDRA DATTA—*contd.*

The children of the soil have been insistently demanding free primary education. But it is most disappointing that the Government have not yet made any whole-hearted and enthusiastic response. The little child imploring the educated father to send him to school and the latter turning a deaf ear to the former's importunities and setting his back upon the child is a spectacle which is anything but edifying. Nor is it complimentary to the father when pressed again and again by the child to say 'Wait, my good little child, a few years more till I win the litigation which is now a severe strain upon my resources.' We have had no doubt in this country some very excellent resolutions of the Government—resolutions both ancient and modern—some of them as old as 1854 and others quite recent—solemnly acknowledging and accepting the duty of the State in the matter of elementary education and containing a solemn promise that primary education shall be free. We have had resolutions issued by the Supreme Government practically recommending free primary education to the Local Governments; but, like all pious wishes, they did not and could not bring us salvation. The most pertinent question is: What is our actual position to-day in Bengal with respect to primary education, these resolutions notwithstanding? It appears from statistics given by my friend, the Hon'ble Mr. Hornell, that the upper primary boys' schools have steadily declined in number during the last five years. Similarly the number of pupils attending the upper primary boys' schools has steadily fallen off year after year during the same period. As regards the lower primary schools, we have been told that the number both of schools and pupils steadily declined during the three years from 1911-12 to 1913-14. The increase in the two following years in the number of lower primary schools is more or less misleading inasmuch as part of the increase is due to the fact that secularised *maktabs* in the Presidency and Burdwan Divisions, which were formerly shown as special schools, had now been returned as primary schools. Are those statistics over which we can congratulate the Hon'ble Mr. Hornell, who, a little sparrow whispers into our ears, was brought down from England as a sponsor of primary education in Bengal? Is it not true that we have not yet got anything like a system of primary education? Can there be a more severe indictment against a civilised Government than the absence of a complete system of elementary education? Is it a matter for complacence or congratulation that we have not yet got so much as a scheme for primary education, not to speak of a loyal and enthusiastic effort to give effect to it? In his last Budget speech the Hon'ble Mr. Hornell said: 'There is something in those Provinces (United Provinces) which may be called a primary school system; here there is nothing which can reasonably be described by such a term except in so far as the system of establishing District Board Lower Primary Schools has been realised.' This I maintain is culpable indifference on the part of the authorities in a matter of the gravest national importance. Is there any wonder that in these circumstances, some censorious critics will charge the Government with disloyalty, not only to the best interests of the people committed to their charge, but also to the gracious wish of our King-Emperor who was pleased to say, 'And it is my wish too that the homes of my Indian subjects may be brightened and their labour sweetened by the spread of knowledge with what follows in its train, a higher level of thought, of comfort, and of health.'

A hope has been held out for some time past in Bengal that some attention would be paid to this matter and that a scheme of primary education would be evolved to replace the chaos and confusion which now prevail. But that is a hope which has been kept only to the ear and deferred hope has been worse than sickening. It is now more than two years that two of the best officers of the Education Department had been deputed to study and solve

The Hon'ble BABU AKHIL CHANDRA DATTA—*contd.*

the problem of primary education in Bengal. They submitted their report which was placed before a representative conference of the Inspecting officers of the Presidency. 'The next step', said the Hon'ble Mr. Hornell in his last Budget speech, 'will be the working of a complete scheme.' Has that scheme been worked out? Has that promise been redeemed? In answer to my question he said in September last that the report of the two officers and the proceedings of the conference were under the consideration of the Director of Public Instruction, and have not yet been submitted to Government. This typically illustrates the truth of the observation recently made by the Hon'ble Mr. Sharp that the recent activity of the Department of Education seemed to be to make plans and shelve them. All this only reminds us of the couplet—

'Promise, pause, prepare, postpone,

And end by letting things alone.'

The resolution which I have now the honour of moving asks for the starting of free primary schools in some selected area. I should say at the very outset that although I am a staunch advocate not only of free but compulsory primary education, my present resolution has nothing to do with compulsion. Nor does it ask for making primary education free all over the Presidency all at once. All that this resolution insists is that it is high time that there should be a beginning made in the direction of free primary education. The beginning may be on a very very small and humble scale, but still let there be a beginning. Let us begin with the area in which co-operative societies have sprung into existence. Free primary education is in itself an inestimable boon; it will be a double blessing in a co-operative area inasmuch as it will open up immense possibilities for that most beneficial movement—a movement for which we are most grateful to the Government; or the beginning may be made in such other area as may be selected, *e.g.* any district or subdivision or portion thereof. The area selected may be small—very small—but still let us make a beginning. I ask Your Excellency to make a start just to give an earnest of the intention of the Government to take up the matter more extensively and exhaustively when normal conditions are restored. Let the people feel that the Government are not indifferent and lukewarm about this all-important matter.

Fatten the Police by all means, but pray do not starve education; have new Police buildings by all means, but let there be side by side some poor cottages where the children of the poorest classes may learn the three R's; multiply Police out-posts and thanas by all means, but have also *pathsalas* side by side; raise new battalions of Police officers by all means, but have a band of *gurus* and *pundits* also.

It is an elementary principle of sociology that ignorance is the root cause of crimes. Break down the wall of illiteracy and the field of Police activities will be considerably curtailed. With about 94 per cent. of our people unable to read and write, is it any wonder that we should require a proportionately larger Police force than in other countries? In 1868 Lord Lawrence observed: 'Among all the sources of difficulty in our administration and the possible danger to the stability of our Government, there are few so serious as the ignorance of the people.' This was quoted with approval by Lord Curzon in his resolution on education in 1904. Victor Hugo said a great truth when he observed, 'He who opens a school shuts up a prison.'

By this resolution I recommend the transfer of 3 lakhs for free primary education out of 12 lakhs budgetted for new Police buildings. My

The Hon'ble BABU AKHIL CHANDRA DATTA—*concld.*

alternative suggestion is that the proposed 3 lakhs may be taken from the grant of Rs. 4,36,000 budgetted for the partition of the districts of Midnapore and Mymensingh. My Lord, we all know that the Government are very keen about the partition of these districts. We must bow down to this decision. But all the same it is very difficult to appreciate the position taken up by the Government, *viz.*, that the partition is so immediately urgent that they should feel justified on encroaching upon what was characterised last year as the battle fund of the empire. Are these territorial distributions and administrative adjustments so very urgent that we cannot wait till the termination of the war?

My Lord, to-day is the 13th of March and within a week from to-day Your Excellency will lay down your reins. I ask Your Excellency with all the earnestness I can command to make a beginning in the matter of free primary education. The people of Bengal will gratefully remember your beneficent act and your name will go down to posterity for inaugurating a policy of great wisdom and statesmanship. With these observations, my Lord, I commend this resolution for acceptance by Your Excellency's Government and by the Hon'ble Members of the Council."

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord, I beg to support the resolution moved by the Hon'ble Babu Akhil Chandra Datta, but I need not add much to what has fallen from him. I associate myself with all that he has said."

The Hon'ble MR. LYON said :—

"My Lord, in the face of the appeal that has been made by the Hon'ble Member at the end of his speech, I confess that the balancing and deciding upon what matters money should be spent would be more difficult than ever, if that balancing had to be carried out. Fortunately, I am protected in this particular case by the fact that the Hon'ble Member has again proposed to provide for recurring expenditure by depleting non-recurring grants; and in spite of what was said in the course of the discussion on the last resolution, I think this Council will understand that it is not sound finance to start on a large recurring scheme and to attempt to finance it out of funds provided for a single year only. With reference to this particular item, I do not wish to trouble the Council again with my reasons for asking them not to touch any money included in these two particular allotments.

At the same time, I would like to say a few words on the merits of the question. I fully recognised from the first from the terms of the Hon'ble Member's motion, that he asks for free primary education. I had the great advantage of listening to the admirable speech by the late Mr. Gokhale on this subject in the Imperial Council on the 18th March 1910. He spoke with great force and with that extraordinary power of marshalling his facts and that clearness of aim which characterised all his speeches in Council, and he made a considerable impression on the Council, so that it was not for want of sympathy that he was unable to press his motion to a division. The original proposal for the abolition of fees was made in 1908, when the possibility of abolishing fees in primary schools was mooted. Then came Mr. Gokhale's proposal to make a beginning with compulsory as well as free education, and the question of compulsion has occupied the stage somewhat to the exclusion of merely free education ever since.

The Hon'ble Member has spoken of making a humble beginning, but I think it is perfectly obvious that if we initiate this scheme it is bound to prove a success. It is a desirable idea in itself, it is wanted very much and

The Hon'ble MR. LYON—*concld.*

it is obvious that we should, if possible, make our primary education free; so that there is no question of experimenting with small beginnings. The initiation of this scheme would mean an obligation to go on with it and to give other parts of the country the advantage which we should be confining to a few selected areas. This would involve an enormous expenditure which, in the present state of our finances, would make the expansion of primary education, the establishment of new schools, the improvement of old schools and improvement in the pay of teachers absolutely impossible for many years to come. It has been our object for some time to improve our primary schools as well as to spread primary education, and to make these schools permanent and not peripatetic, the *guru* wandering about from village to village in search of encouragement. But if we have all these things we cannot also make education free, much as we would like to do so. We are doing what we can with freeships and scholarships and so on, but we cannot undertake to make primary education free In the year 1907, the Government of Bengal, as it then was, estimated that it was quite impracticable to take up this question of the abolition of fees except in combination with new taxation on a scale that would arouse most serious resentment. The extra expenditure was estimated at 64 lakhs, recurring, in the sixth year after the abolition of fees, and it was stated that it would rapidly increase after that. The Government of Eastern Bengal and Assam at the same time estimated that the increased cost would be over 80 lakhs for carrying out this scheme for the abolition of fees. The enormous figures of population give rise to these large estimates, but they must be faced, and if we lightly begin we must go on. But, as I have suggested already, this will inevitably mean the starving of other educational endeavours for a long time to come. I have already shown, I hope to the satisfaction of Hon'ble Members, that we are going ahead with primary education and that we have secured at considerable expense an enormous increase in the number of schools and of pupils in the past five years. We cannot do more in the direction of spreading primary education and we must be content for the present.

I have already mentioned that the items from which the Hon'ble Member proposes to finance this scheme are not recurring ones. I fear we cannot spare money from these items, nor can we spare it from any other parts of the budget to meet such enormous expenditure. And we must resist the temptation to venture along pleasant and attractive paths in a country which, in the present state of our finances, must remain for some time a forbidden land."

The Hon'ble BABU AKHIL CHANDRA DATTA said :—

"My Lord, I should like to make one or two observations in reply. The question of free primary education is of course a large order and there is no doubt about that. At the same time my resolution is simply this. Let there be a beginning made in however humble a way it may be. I said it might be introduced in a certain district; if that is thought very large then it might be tried in a subdivision. If that is also large, it might be in a portion of the subdivision, say, in a particular thana, in a very, very limited area, just for the recognition of the principle of free primary education, and as funds permit year after year, the field of primary education may be extended. The question of money is raised, and because raised at this particular time, there is of course no answer, but at the same time I quite believe that so far as the Government are concerned, where there is a will there is a way. There is so much money that can be found for so many other matters, and I for one find it difficult to believe that if the Government really desire to set apart 3 lakhs for free primary education, they are unable to do it."

Babu Ambika Charan Mazumdar.

The motion was then put and lost.

[At this stage of the proceedings, the Council adjourned for lunch. When it reassembled, the Hon'ble the Vice-President took the Chair.]

APPENDIX TO THE LIST OF BUSINESS—ITEM No. IX.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved the following resolution :—

This Council recommends to the Governor in Council that out of the lump provision for secondary education, a sum of at least Rs. 30,000 be earmarked for the construction of the school building of the Faridpur Ishan Institution so as to enable the School Committee to complete the ground floor of the said school building.

He said :—

"Sir, the fate of the previous resolutions shows that it has practically been a massacre of the innocents. May I express the hope that this resolution will escape the general doom. In this resolution I beg to bring to the notice of the Council the hard case of a very useful and flourishing old institution which is threatened with a collapse for want of a suitable school building. The Ishan Institution at Faridpur was founded in 1887 by Rai Saheb Ishan Chandra Das, a public-spirited talukdar of the district. In 1896 he transferred the management of the school to a committee with the Magistrate of the district as its President. I believe my esteemed friend the Hon'ble Mr. Donald was its first President. The school, which now counts on its roll about 350 boys, is located in an uncomfortable tin shed and a number of thatched houses. In 1909 when Mr. Woodhead, as the President of the committee, conceived the idea of raising a *pucca* building to meet the growing demands of the institution, a plan and an estimate for about Rs. 50,000 was framed which received the sanction of the Superintending Engineer in the Public Works Department. A public subscription was started and Rs. 15,000 were collected, in the hope of obtaining a two-third grant from Government. A suitable plot of land was acquired on payment of a compensation of Rs. 3,000, and over Rs. 7,000 have been spent in manufacturing about ten lakhs of bricks. But here the work has stopped as no grant has been available from Government since the outbreak of the war. The Hon'ble Mr. Hornell, who has personally visited the school, has repeatedly remarked that the school house is in a wretched condition and that the school committee should approach the Government for a suitable grant to undertake the construction of the proposed building at an early date. There were other inspecting officers also who endorsed the views expressed by the Hon'ble Director of Public Instruction. I quote these opinions in support of my proposition. My Lord, there is only one other high school in the town of Faridpur, which is the Government Zilla School, and the urgent necessity of a high school like the Ishan Institution has been admitted from time to time by the inspecting officers of the Education Department. Although the school is fully equipped a large number of boys are every year refused admission for want of accommodation. The present school houses are in a very deplorable condition, and I am afraid, that, if the construction of the building cannot be undertaken under the budget under discussion, the school may collapse altogether, and therefore earnestly request the Government as well as the Director of Public

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR—*concld.*

Instruction to set apart at least Rs. 30,000 to complete the ground floor of the proposed building and thereby save a very useful public institution from wreck and ruin. With these observations, I beg to leave this resolution to the consideration of the Government and of the Hon'ble Mr. Hornell."

The Hon'ble MR. HORNELL said :—

"Mr. Vice-President, I desire to state that the provision of a suitable building for the Faridpur Ishan Institution is a project which has my complete sympathy, and is also one which is certainly of great urgency. I visited the school in July 1913 and encouraged the committee to press on with the scheme for providing the school with a new building. I visited the institution again last year and I was struck by the miserable conditions under which the school is now housed. I think that the Hon'ble Mover has not exaggerated the position when he says that unless something is done to provide the school with proper quarters, its collapse is only a matter of time. The quarters are not only bad; they are impossible. A site has been obtained as the Hon'ble Member has explained. It appears that the new building required is estimated to cost about Rs. 48,000 and so far as I can gather the local contribution towards the scheme will eventually work out to about Rs. 16,000. The Government grant required will therefore be about Rs. 32,000. When the Hon'ble Member suggests that the lump provision for secondary education should be reduced, he is presumably suggesting the reduction of the lump provision out of the recurring Imperial assignment of Rs. 8,24,000, which appears on page 5 of the budget estimates. This provision includes some Imperial recurring assignments for secondary education, amounting to Rs. 2,26,000. It is not possible to reduce these assignments because they have been all assigned and are all being utilised; we cannot therefore take Rs. 30,000 without stopping something which is now being done. Nor do I think there is any necessity to make this reduction, because, if the Hon'ble Member will turn to page 72 of the budget estimate, he will see that Government have provided Rs. 1,75,000 under grants-in-aid for educational buildings for Indian boys and girls. It is not possible for Government to commit themselves at this moment to make a grant of Rs. 32,000 or any other amount towards the project with which the resolution deals. The grant will require the sanction of the Local Government and the project has not yet been submitted to them. Indeed the present position is that the revised plans and estimates are with the Inspector of Schools who has been asked by me to obtain the approval of the Superintending Engineer and the Sanitary Commissioner, the approval of both these officers being required under the grant-in-aid rules. But this is certainly one of the schemes which I hope to send up before long to Government. The Hon'ble Member will remember that under the orders of the Secretary of State all new expenditure has to be scrutinised by Government with a view to deciding whether it passes the test of immediate necessity. I shall be prepared to state that this project is one which should not be delayed and I do not gather that there will be, from what I understand, any difficulty in obtaining the grant from Government."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"I am quite thankful to the Hon'ble the Director of Public Instruction. I am not particular as to the source from which this money is obtained, but as he has really pointed out that there is a provision for building grants of Rs. 1,75,000, and as Mr. Hornell has said that he would recommend this project, I am quite satisfied, and I thank him most heartily for the opinion which he has expressed with regard to this school. After the assurance

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR—*concld.*

given by the Hon'ble Mr. Hornell I do not consider it necessary to press my motion to a division."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. X.

The Hon'ble MAULVI ABUL KASEM moved the following resolution :—

This Council recommends to the Governor in Council that the non-recurring expenditure of Rs. 4,36,000 in connection with the partition of Midnapore and Mymensingh be suspended and that out of the said grant the sum of rupees two lakhs be allotted for building grants to junior Madrassas.

He said :—

"After the decision of this Council in connection with a similar resolution which deals with the Rs. 4,36,000 reserved for the partition of two districts, I feel somewhat diffident in pressing this resolution before the House, and, if I do so, it is simply because I want to bring to the notice of Government and the educational authorities the urgent necessity of making some grants for junior Madrassas. For some time past anxiety was felt by Muhammadan leaders and the Muhammadan community as to what sort of education they ought to give to their boys and some concern was felt by the Government as well. A system of junior Madrassas was introduced for the purpose of giving Muhammadan young men education suited to their circumstances and to their national sentiments, and the Committee of which Sir Archdale Earle, then Director of Public Instruction, was President was convened, and framed some rules for the working of these Madrassas, and although the curriculum of these institutions has undergone some changes gained by the experience of the working of these Madrassas they are working on the same lines, and so far as we have been able to ascertain, these institutions have been doing very useful work in spreading education among Muhammadans in giving them secular education combined with religious instruction. These institutions got some recurring grants from the Government for their maintenance and some additional provision has been made for increasing the recurring grant as many of these institutions have adopted the reform scheme, but we have felt it in some parts of the Province at least that the Madrassa committees find some difficulty in providing for the necessary money for building their institutions and the departmental officers are becoming anxious for the success of these institutions. It is for this reason that I wish to press before the House and the Director of Public Instruction the necessity for giving these institutions certain building grants for their institutions."

The Hon'ble MR. HORNELL said :—

"Mr. Vice-President, Government, as the Council know, are not prepared to reduce the provision made in connection with the partition of the Midnapore and Mymensingh districts. Therefore the resolution of the Hon'ble Member cannot be accepted. It only remains for me to say that if any application for a building grant for a junior Madrassa is submitted to me, it will be considered along with other applications for building grants, with a view to deciding whether the grant asked for can be sanctioned from the budget provision for building grants. I regret that I cannot say more except that I paid attention to what the Hon'ble Member said with regard to the necessity for encouraging junior Madrassas and that these considerations will weigh with me in considering any application for a building grant for such an institution which may reach me."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XI.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 20,000 be set apart as a contribution towards the Building Fund of the Mahakali Patsala, Calcutta ; and

(*b*) the said sum be taken out of the grant of Rs. 18,49,000 set apart as "Grants-in-aid" under "22—Education."

"Sir, the resolution I beg to move has a special interest for us Hindus of the Province. The Mahakali Pathsala is the only institution of the kind. Its utility cannot be gainsaid and has been admitted by those who have taken care to study the system followed in it.

"Sir, in the resolution on the Report on Public Instructions in Bengal for 1915-16 the Government said—'It is an encouraging feature of female education in Bengal that the *bhadralog* or middle classes are recognizing that the education of their girls up to a certain standard is a practical necessity.' But they want a special system of education for their girls. The late Sir Monier Williams has said that 'the root dogma of true Hinduism is purely spiritualistic.' It is this speciality of the faith that has shaped the social system of the Hindus—a system in which women play an important part. And if that social fabric has withstood the corrosive wear and tear of time it is because the education of our women has fitted them to the work to which they are called in the family and in society. At a meeting in London, Sir Theodore Morrison said : 'If the education of the women of India followed the same purely European lines as that of their husbands and brothers, the Indian social type which had survived for so many centuries would be in danger of annihilation. Education of the women was inevitable as well as desirable, but the question was—How can they be given an acquaintance with English books and English ideas and yet be preserved from the proselyting action of European thought?' That question has been answered by the Mahakali Pathsala which is the outcome of the exertion of the late Mataji to raise the dignity of womanhood in modern India. In India numerous institutions have been established for the education of women where the European system is followed. I do not want to minimise their utility or belittle their endeavours to spread education. But I do say that an education suited for a wholly different civilisation—in which an ever-increasing number of women are thrown on their own exertions for a livelihood, and, competing with men in professions and trades, require an education like that of their male competitors—is entirely unsuited for girls whose destiny is the home and not the market-place. So we must have a system of education suited to our own requirements in Bengal. And a scheme for such a system was adumbrated, advanced and accomplished in the Mahakali Pathsala by the late Mataji. The institution in Calcutta is a monument of her selfless love for Indian women. This institution was visited by Their Excellencies Lady Chelmsford and Lady Carmichael. Her Excellency Lady Carmichael was pleased to express her satisfaction at what she saw. Sir Valentine Chirol also visited the institution and on his return to England sent it a cheque and, what is more, also his good wishes for the Pathsala. That institution is now in want. And I propose that a modest sum of Rs. 20,000 be granted to it for its building fund."

The Hon'ble MR. P. C. MITTER said:—

"Sir, the resolution as moved by the Hon'ble Rai Mahendra Chandra Mitra provides for a certain sum of money for the Mahakali Pathsala. It is

Mr. P. C. Mitter : Mr. Hornell.

The Hon'ble Mr. P. C. Mitter—*concld.*

important in this respect that the Mahakali Pathsala undoubtedly fills the necessity for a certain section of the Hindu community who would not send their girls to other institutions. That institution is, I understand, in very grave danger at the present moment. I understand that a decree has been obtained by the creditor for Rs. 36,000 and there is a danger of the house being sold up. The value of the house is considerably more than that sum. It is, I understand, worth more than Rs. 50,000. These being the circumstances I trust it would be possible for my Hon'ble friend Mr. Hornell to find this sum of Rs. 20,000 from the fund indicated by the Hon'ble Mover or from any other fund. I think it would be desirable to provide it, but whether it is possible or not, I must leave that to my Hon'ble friend to decide."

The Hon'ble Mr. Hornell said:—

"The object of this resolution is to get Government to commit themselves to earmarking a certain amount out of the sum which it is proposed to make available during the coming financial year for grants-in-aid to buildings as a contribution towards a building project in favour of a certain institution. The Hon'ble Secretary of the Institution approached me in June last asking for a substantial grant, the object of which was apparently to assist the authorities to liquidate certain liabilities in which the institution was involved. After considering the matter carefully I was constrained to reply that I did not see my way to recommending to Government to make any capital grant. I have since been approached unofficially by the Hon'ble the Maharajadhiraj of Burdwan with a view to a recurring maintenance grant being sanctioned for the institution. On the 3rd of this month I wrote to the Hon'ble the Maharaja and forwarded a copy of my letter to the Honorary Secretary. It will thus appear that while there is not at present before me any application for a capital grant, the question of a recurring grant is still a matter of correspondence between the Maharaja and myself. I do not consider that the present is the proper occasion for discussing the reasons for and against making a grant to this particular institution. Personally I am quite ready to recognise the desirability of such institutions as this and to believe that if they are efficiently conducted they may contribute a valuable part of the machinery of the education of Hindu girls. Whether in view of the great need which there is for girls' schools and the very limited amount of money now available for this purpose, it is desirable or not to make grants from public funds to these institutions, is a point in which I have not altogether made up my mind. This is not because I am not convinced of their utility, but because I feel that they have rather a special claim on the generosity of wealthy members of the Hindu community. Be that as it may, I hope that I have said enough to convince the Council that the question of making a grant for the Mahakali Pathsala has not yet attained the stage of development at which Government could possibly commit themselves towards making a grant. All that the Hon'ble Member has said in favour of this institution will be recorded in my file and will be carefully considered before the general question of aiding this institution is finally disposed of. In other words, I am perfectly open to consider any special appeal that may be made, but as Government have not yet been approached and as there is no definite proposal before me, I feel compelled to oppose this resolution. It must be clear that the Government are not in a position to say that they will make any grant towards this institution, but I am perfectly willing to consider any representation with reference to the present needs of the institution from those who are in charge of it."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"I thank the Hon'ble Member for the observations which he has just made, but the necessity of the institution being very great, in order to save the institution from annihilation, I felt compelled to bring the matter to the notice of the Council, but as the Hon'ble Mr. Hornell has assured us that he will further inquire into the subject, I have no other alternative than to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XII.

The Hon'ble DR. NILRATAN SARKAR moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs 1,00,000 be provided for the purpose of giving small capital grants for building purposes to schools under private management ; and

(*b*) this expenditure be met out of the provision of Rs. 12,00,000 for Police Buildings under head Civil Works in charge of Public Works Department.

"Sir, the defects and difficulties in connection with the housing of our schools both in the mufassal and Calcutta are well known. The number of students is increasing every year. Teachers are available and Government have now made a provision for the improvement of their prospects by the grant of 9 lakhs of rupees. But the problem of housing our schools remains where it is. In the present circumstances, capital is not likely to flow in this direction spontaneously, and charity cannot possibly cope with the task of providing houses for 551 schools. Here is an humble proposal for meeting this difficulty which I believe to be perfectly sound, and which if adopted will remove this difficulty gradually. There are three parties concerned in this matter, viz., the governing body of the schools, the guardians of the pupils, and the Government. I believe that each of these parties should contribute towards the building expenses. The site and plan of the school should be settled by the governing body in consultation with the University and the Government ; and when for a particular school, the site and plan have been approved, the governing body should come forward with a contribution of, say, Rs. 4,000 or Rs. 5,000 which with a contribution of say Rs. 12,000 or Rs. 15,000 from the budgetted grant should form a margin for securing on mortgage the requisite sum for the building and the purchase of the land. The average cost according to the estimates made by a competent engineer would be about Rs. 80,000 for a three-storied house covering an area of 5,000 square feet, built upon a plot of land one bigha in area. For the purpose of repayment, the governing body should contribute annually 10 per cent. of the capital outlay. Out of this 2 per cent. should meet the rates and taxes and the annual repairs expenses ; and the remaining 8 per cent. should be devoted to paying the interest and also contributing a small sum annually to a sinking fund. If this plan be adopted the property will be cleared free of all incumbrances in about 25 years. So long as there is this debt, the first charge should be with the mortgagee and the second charge with the Government. When the debt is cleared off, the only charge should be with the Government. Of course Government will have to make some modification in its grant-in-aid rules. This experiment may be tried in half a dozen schools for the present, including one or two mufassal schools. In the case

The Hon'ble DR. NILRATAN SARKAR—*concld.*

of mufassal schools, I believe the cost will be much smaller than that indicated in my proposal, and I hope that the Hon'ble Mr. Hornell with his usual sympathy for our secondary schools will accept my humble proposal."

The Hon'ble MAULVI ABUL KASEM said :

"Sir, I beg to support the resolution moved by the Hon'ble Dr. Sarkar. Under the present University rules, the number of students in each class is limited, and we find great difficulty in getting boys admitted into the public schools. Much of this difficulty will be removed if we can get suitable buildings according to a departmental plan and we will be able to accommodate in them the whole of the allotted number of each class and thereby extend the sphere of secondary education in this province. As the proposal of the Hon'ble Dr. Sarkar is a very modest one, I think Government should come forward with some sort of help to these institutions so that the sphere of education may be further enlarged."

The Hon'ble DR. DEBA PRASAD SARBADHIKARI said :

"Sir, when we were adjourning after discussing some of the resolutions an hour ago, my friend opposite, the Hon'ble Nawab Sir Syed Shamsul Huda, asked me as to why, in Rai Radha Charan Pal Bahadur's elegant parlance, I was both motionless and speechless ; it occurred to me that I should explain the situation. I take advantage of this motion to do so. Hon'ble Members, in going through the list of resolutions to-day and of those who have spoken to them, will have noticed that it is exactly those who have not been lamed and maimed in the race for the last few years that have chosen to embark on a series of motions the fate of which must be foreknown. My Hon'ble friend, Dr. Nilratan Sarkar, who is not altogether new to the fray but who combines in himself modesty and courage, was bold enough to send in notice of a few motions, with which irrespective of their likely fate, I am bound to be associated. The first of these we are now dealing with. The motion is one in which I am very naturally interested, and if conditions were more favourable than they appear to my friend, I myself should have taken charge of such a motion. Along with many Hon'ble friends interested in the progress of secondary education I discussed this question with the Hon'ble Dr. Sarkar, after foreshadowing my views at the last Convocation speech and the teaching world must be thankful that he has taken it up. When I found that His Excellency the Chancellor took a very keen interest in the condition of our schools and the pay and position of our teachers, I had the honour of laying a scheme like this before His Excellency and since then I have discussed it with many officials and non-officials. It seemed to me then and it seems to me now that if we are to house our schools well an experiment like the one suggested must be undertaken. How few of the hundreds of schools under the University are well housed is known to all Directors of Public Instruction and all generally interested in education. We needed no Commission, we needed no inquiry to tell us that some of the schools, I should say most of them, including Government schools, are housed as badly as can be imagined. We have two essentials necessary for satisfactory secondary education, viz., the number of those ready and willing to join the schools, and the number of ready, though not for the moment, ideally capable, and well constituted body of teachers. With regard to the second class of difficulties, we expect that with the fairly large sum which His Excellency the Chancellor remotely indicated at the last Convocation and which has since been placed at the disposal of this Government, it will be possible to make some little improvement. Nine lakhs of rupees is a large sum in a lump, but it is not very large when you come to consider the requisitions likely to be made on it. We have indications in

Dr. Deba Prasad Sarbadhikari.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI—*contd.*

to-day's resolution of some of the pressing items that have struck Members as having the first right of participation. I hope that when the question is taken up, the different interests will be carefully considered and a careful allotment will be made in the interests of primary and secondary education, benefiting both Hindus and Muhammadans. We have it that there is no lack of students, we have it that so far as it is numerically concerned, there is no lack of teachers,—men who are being trained as teachers as well as ordinary graduates are available on reasonable terms. The third essential is a good house. I quite agree with the Hon'ble Babu Ambika Charan Mazumdar and those who think with him, that brick and mortar need not play a large part in the educational polity of community like ours. That had been so in ancient India, that has been so in recent times. But since the ethics of brick and mortar have come prominently into our counsels, steps must be taken such as are open to us to provide good houses for schools. It is clear that Indian schools that are under private management, cannot within a reasonable time furnish themselves with good houses. It is also clear that neither the Government nor the municipalities or other public bodies concerned, will ever be able to furnish all the funds necessary. The only thing that remains therefore is a scheme like that which has been suggested in the course of my friend's speech. But I do not think that this is a complete scheme, and I do not think it is absolutely sound. It will have to be examined and the difficulties and weaknesses will have to be discovered and put right; the time has come when we must make up our minds to have an experiment like this. The essential idea of the scheme is that the three parties interested in providing good houses should all contribute. The governing body is to be made responsible for the school. The next is the Government which is trying to assist secondary as well as other education and along with the Government will come the municipalities which are interested in primary education which is represented in some of the lower classes. Then come those who are directly interested in these schools, that is, the guardians of the pupils. If the country were rich enough it could have looked for some endowments immediately. I do not think that so far as the school education is concerned, such can be looked forward to for a number of years. Those inclined to give naturally and rightly think that when the gifts are limited their best use would be in the upbringing of those who can take their place in the requisite army of teachers. The next step therefore is to spread over the cost or the balance of as far as possible over a number of years, and that has been proposed in the scheme, namely, 10 per cent. on the outlay, *i.e.*, the balance, after giving credit for what the governing body, or the Government may contribute. The only way to pay off the balance on easy terms and to secure the ultimate rights for the school to spread that burden over a series of years, 20 or 25, as may be, after careful calculation be found necessary. A little more may be done if a district at a time is taken up. But it will not be possible long to put off the experiment without serious detriment to the districts concerned. These are the outlines of possible improvement and if something like this is undertaken, we shall be able to improve our schools, as we have succeeded in improving our colleges. The Council will remember the grant for our private colleges which was given without any terms and conditions and that course is now urged with regard to selected schools. The grant has been made to the colleges for the last few years and has been the making of some of the colleges, and those which would have disappeared by now but for the timely help have been able to satisfy the requirements of the University regulations and have been showing fairly good results. A lakh or two a year has been able to help our colleges. A lakh or two every year may for similar purposes be given to a School Boards of Trustees who will make themselves responsible for proper management, and who will at the same time

Dr. Deba Prasad Sarbadhikari; Rai Radha Charan Pal Bahadur.

The Hon'ble Dr. Deba Prasad Sarbadhikari—*concld.*

give an undertaking that the Government will have the first lien on the property after the building debt is discharged with the help of the proposed sinking fund. That ought to be deserving of careful consideration at the hands of the Government. I do not know whether the balancing suggested between education and the police can be effected or not. Of course the scheme is incomplete. When any member brings forward any schemes like this before this Council, he does not do so in the hope that it will be accepted then and there. That, I think, is really the ethics of resolutions in Council; it is a notice of a demand that is discussed in Council and if it be not provided for this year or the next year, the official authorities will look kindly at these proposals whenever there is opportunity, if they are in the main sound. That has been the fate of some resolutions which at one time appeared to be comparatively hopeless, they have made themselves favourably known to the authorities and some good results have followed. In this hope, I think, the Hon'ble Member has brought forward this resolution, and in that hope I should like to give it all the support I can. If the Government, the University and the municipalities come together, it ought to be possible to evolve some scheme which in the case of the approved schools in approved districts may be given a start. So far as the question of rules of grant are concerned, I understand that they are already under revision and if principles like this commend themselves to the authorities, they may be taken due note of and such provision as is possible may be made. Of course schools like the Mahakali Pathsalas obviously could not well come under this category. But so far as this particular class of schools which the Hon'ble Dr. Sarkar has put before us is concerned, I think we ought to face the situation and try to help the schools in any way as we can. If we cannot help them in some way, in spite of resolutions in Councils, or condemnation by the Education Department or the University, no real good can be achieved."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"Sir, I have listened to the speeches of the Hon'ble Mover and the Hon'ble the Vice-Chancellor. I do not quite understand the resolution as it stands. I would like to support it, but I do not know what is its real object. Is it merely to earmark a certain sum solely for the purpose of providing housing accommodation to secondary schools? The resolution, as it is worded, seems to cover not only the secondary but also the primary schools. Although I am an advocate of secondary education, my sympathies are—as things stand at present—principally directed towards primary education. In this connection I think that although a lakh of rupees for the whole Province of Bengal is quite inadequate or it may be quite as a drop in the ocean, a start may be made by earmarking this sum for providing the housing accommodation of all schools. I hope the sympathies of the Hon'ble the Director of Public Instruction will be directed more to primary schools.

"Sir, last year I brought to the notice of this Council the miserable condition of houses where these primary schools are located. I may quote from the report of Mr. J. N. Roy, who was specially deputed to inspect primary schools in Calcutta, which will at once show in what miserable condition these children are housed :—

'An ill-lighted and ill-ventilated room in a private *pucca* house, or an equally objectionable hut with a tiled roof; a number of boys huddled together, sitting, in some cases, benches and, in some, on the floor, but all alike shouting at the top of their voices; boys, uneducated and untrained, but determined to eke out a living for himself, dozing at desk—that is the picture of an ordinary primary school.'

The Hon'ble RAI RADHA CHARAN PAL BAHADUR—*concld.*

"It will be seen that the majority of the little children are brought up in the primary schools of Calcutta under such miserable conditions. I am sure that the Government sympathise with the object with which we press our resolutions almost every year that something should be done to put an end to this deplorable state of affairs. I do not find—I am afraid the Hon'ble Mr. Hornell will again pull me up—that there is anything provided in the budget for the housing accommodation of primary schools. I think, Sir, that, although it is necessary from various points of view to provide sums for the housing accommodation for the Police force, it is equally important, if not more important, that a certain sum of money should be provided every year for the provision of housing accommodation for these poor little boys who are grovelling in wretched, insanitary and unhealthy houses and huts. I do not wish to take up further the time of the Council by quoting from the report as these facts are well known to the Hon'ble Mr. Hornell. I hope that this resolution will receive sympathetic consideration from the Hon'ble Mr. Hornell, and I hope also that the Hon'ble Dr. Sarkar does not confine his resolution only to secondary schools and colleges."

The Hon'ble MR. P. C. MITTER said:

"Sir, the scheme which has been presented to the Council by the Hon'ble Mover seems to me *primâ facie* to be very commendable. If good housing of our schools is insisted on, it is not for me to enquire if it should be insisted on, but if in fact it is insisted on, necessary funds must be provided for the purpose. It is also well known that we cannot depend on private charity or on school fees for providing good houses. The most important feature of the scheme which seems to me to be most commendable is that by spreading the expenditure to be incurred over a number of years, the difficulties of the situation are met to a great extent. At the same time, it is provided that all parties interested in housing the school properly should to some extent pay for it. I do not want to take up the time of the Council by any comparison about the necessity of providing for more funds for the Police or more funds for Education. It may perhaps be that both are very necessary; but as regards the question of providing more funds for Education, I leave it to the Hon'ble Mr. Hornell to find out the source from which the necessary funds may be provided. With these words, I beg to support the resolution."

The Hon'ble MR. HORNELL said:—

"Sir, I feel a little bewildered. I happen to know, for I discussed the matter with the Vice-Chancellor, what is at the back as it were of this resolution, and I do not think I am anticipating the Hon'ble Mover when I say that it bears no relation whatever to the problem of primary schools in Calcutta. We have a proposal that a lakh of rupees should be made available in order that a certain type of school may, by means of a certain process which the Hon'ble Mover has outlined, obtain new buildings. The Hon'ble Rai Radha Charan Pal Bahadur hopes that primary schools will not be excluded. He says that he has not found any provision for primary schools in the budget, although he has hunted for it. Well, there is no provision in the budget for the building of new primary schools in Calcutta, but I hasten to tell him, although I do not know that this matter is relevant to the motion, that we are doing something towards the housing of primary schools in Calcutta. The Corporation of Calcutta, the doings of which are well known to the Rai Bahadur, made a suggestion once that they might some day be able to raise money by loan for the construction of primary schools, if we could by

Mr. Hornell.

The Hon'ble Mr. Hornell—*concld.*

means of a contribution defray the interest on that loan. I am having a survey carried out of all the primary schools, and when that survey is complete, I shall approach the Corporation.

Turning to the resolution, the object of which is to provide funds for aiding a special class of secondary schools, I feel constrained at the outset to point out that seeing that Government have already stated that they are not prepared to reduce the charge of 12 lakhs for police buildings, (a motion based on this proposal has already been rejected), the matter is scarcely one of immediate importance. If the money is to be found, it will have to be found within the four corners of the Education Department budget. So far as the budget estimates now before us are concerned, it would be perfectly impossible to make such a provision. The Hon'ble the Vice-Chancellor says that these resolutions are put forward that they may be sympathetically considered by Government. I gather that the Mover will be satisfied if we agree that the demand is a real one, and if we say that we are perfectly prepared to try and see whether something cannot be done.

As to the urgency of the demand there can be no possible doubt. The housing of secondary schools is bad and many of the school buildings are disgraceful. These schools have grown up with very little behind them and they undoubtedly fill a need, but it is impossible to expect them to carry out any big improvement. I do not wish for a moment to deny the urgency of the demand, but apart from the question of finding money there is another point, which I think bears upon the question whether Government can accept this resolution as it stands.

These institutions are referred to as private schools. There are a certain number of private schools and a certain number of Government schools, but Government gives grants-in-aid to private schools under conditions which are prescribed in certain rules and there is no question of not giving a grant to a school, because it is a private institution. Government attach certain conditions to grants and I gather that these institutions, which the Hon'ble Mover has in view, are institutions which are not likely to be willing to accept these conditions in their entirety. It is true that the grant-in-aid rules are under revision, but I do not think, from what I have seen of the case, that any relaxation of the general conditions of control is likely to result from this revision; therefore it comes to this, that before Government can undertake to give money to a scheme like this, they must see whether these schools cannot come under the ordinary rules, and if there is good reason why they cannot come in, then possibly some other conditions may be made. I am not going to discuss the rights and wrongs of the question now, or the text of the scheme which the Hon'ble Member has outlined. The difference between such a proposal as he now puts forward and the ordinary grant-in-aid scheme is this, that where Government give a capital grant, they require a contribution at least equivalent and if possible two-thirds and that contribution has to take the form of a sum of money down. What the Hon'ble Mover suggests is that the contribution from sources other than Government should take the form of a loan. That introduces considerations which will require very careful consideration. Therefore I hope that the Hon'ble Mover of the resolution will see that there is really no question of the Council being in a position to accept the suggestion that a grant should be earmarked, because that pre-supposes all sorts of considerations and discussions which neither I, nor Government, nor any member of the House could possibly anticipate."

The Hon'ble DR. NILRATAN SARKAR said :—

"The object in bringing forward this resolution was to raise a discussion on this very important matter. I never believed that a sum of one lakh of rupees would be taken away from the police grant and made over to the Director of Public Instruction to be spent in this way. But the matter is very important and at the same time I believe that a scheme like the one that I have just placed before the Council is feasible, and if adopted, it will at least go some way towards solving the great and difficult housing problem in connection with these schools. I can easily see the difficulty of accepting the proposal in its present stage, but as regards these schools I do not understand why they should not come under the grant-in-aid rules. So far as I can see the management of the schools would be quite prepared to take advantage of this opportunity, for otherwise, I believe, they cannot exist. In the case of many of these schools the University could come down upon them on grounds of sanitation and I believe that for many of them it will be a life and death struggle, and if there be any prudence among any of them, they would surely accept these conditions. But at the same time I would request Government to relax the grant-in-aid rules to this extent, that inasmuch as it is impossible for most of these institutions to contribute a sum equivalent to the Government grant for building purposes, they should be allowed to raise a loan. It is not quite disadvantageous to Government as they are not going to make a very large grant to each of these schools. It would be necessary to have a margin for raising a loan which will be paid off in the course of 20 or 25 years if we could provide for a sinking fund. However, under the circumstances as the Hon'ble Mr. Hornell has given us an assurance that he will kindly look into the matter, I beg leave to withdraw my resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XIII.

The Hon'ble MR. A. RASUL moved the following resolution :—

This Council recommends to the Governor in Council that out of the grant of Rs. 3,39,000 for Calcutta Hostels, the sum of one lakh of rupees be reserved for the accommodation of Muhammadan College students.

He said :—

"At the very outset I would say that the Hon'ble Mr. Hornell has been very sympathetic with regard to this resolution. In the course of a conversation he informed me that over and above this sum of Rs. 3,39,000 allotted for Calcutta hostels, a sum of Rs. 10 lakhs have been allotted for Calcutta hostels, and out of that, 2 lakhs of rupees have been allotted for the construction of a hostel for Muhammadan students in Boitakhana Road. I must admit that it is very difficult for me, being a new member of Council, to understand these figures. I was under the impression that this sum of Rs. 3,39,000 for Calcutta hostels was for the future, but now I am informed that it is not so, but out of this sum some portion has already been spent. I was asked to send in a speech which I did in a great hurry, and I do not know whether that has been printed. In that speech I went into the backwardness of the Muhammadans in Bengal. I need not remind Hon'ble Members of this Council that the Muhammadans of Bengal are indeed very backward in the matter of education. In fact in the report of the Administration of Bengal recently published we find that there are only 1,135 educated

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hammadans although they out-number their Hindu fellow-countrymen by -fold. Although Muhammadan education is advancing and progressing so dly at the same time, my Hindu friends must admit also this backwardness he Muhammadan students. Then I said in that speech that it was due ly to poverty and partly to want of hostel accommodation for hostel lents. The controversy has been raging for some time as to whether the ernment have done their best for the accommodation of Muhammadan ege students, and I also referred in my speech to a certain letter written Mr. O'Malley on the 25th October 1916 in reply to a resolution which sent by the Hon'ble Secretary of the Bengal Muhammadan Association r the annual meeting of which the Hon'ble the Vice-President presided, in reply to that resolution Mr. O'Malley pointed out that the Government done all that could be done. I do not want to challenge the figures, I am in a position to do so. It is admitted that accommodation for hammadan students is not sufficient. The figures that Mr. O'Malley ted were of 1913. In a little book that was submitted to him by the Bengal hammadan Students' Association there are some statistics given, and find that in 1914-15 and 1916, the Muhammadans of Bengal have done ch better than before. In 1913 only 589 Muhammadan students passed Matriculation examination, but in 1916 we find 1,026. This shows that ery large number of Muhammadan students must come to Calcutta for egiate education, but they cannot find hostel accommodation here. I am going to quarrel with Mr. O'Malley over the figures, but I remember at the Dacca sitting of the Council, I submitted before that the hostel ommodation for Muhammadan students in Calcutta was not sufficient. v this Baitakhana hostel, according to Mr. O'Malley's letter, will accomlate about 200 students. In that letter we also find that two wings be built to the Baker hostel, one of which will accommodate 28 students the other 14 more. Even then, the accommodation will not be sufficient. herefore appeal to my friend the Hon'ble Director of Public Instruction also the Vice-Chancellor who is present here, because I may be met by argument that this Rs. 3,39,000 is meant for the Calcutta University, to us more accommodation. That is all we want ; of course in my reso-on I said that out of Rs. 3,39,000 one lakh might be reserved for Muhammastudents, but I do not insist upon that. Properly speaking when there Rs. 13,39,000 available, I submit that two lakhs is too small a sum. I beg ou, and I request you to see that the Muhammadan students be properly ommodated. It does not matter from where the funds may come. h these few words I beg to commend my resolution to the Council."

Hon'ble the Vice-President said :—

"I am not sure whether the Hon'ble Member wishes to move his resolu-as now worded."

Hon'ble Mr. Rasul said :—

"Sir, I must admit that I do not understand the intricacies of these res ; so if the Hon'ble Mr. Hornell will make a statement in regard to t he can do for the Muhammadan students, I may see my way to ndraw this resolution later on. In any case for the present I move resolution as it stands."

Hon'ble Mr. M. Ashraf Ali Khan Chaudhuri said :—

"Sir, I have great pleasure in supporting this resolution, but I am sorry y that I have got nothing to say ; everything has already been said by my

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI—*concld.*

hon'ble friend Mr. Rasul; only the crust has been left for me. Sir, we have been crying for this hostel accommodation and we have been crying ourselves hoarse, but we are not ungrateful to say that we have not been given some accommodation, but the question is whether that is enough. We are all of one opinion, and I echo the voice of my community when I say that it is not enough and that there are many students who want still more hostel accommodation. Sir, we are very grateful for what has already been done. I find that about 155 students were turned away from hostels in Calcutta in one year. Every year the students are passing more and more. In 1913 a large number of students passed, and in 1916 it has nearly doubled; so I think we have made out a very good case that we want hostel accommodation very badly. We shall be grateful to the Hon'ble Mr. Hornell for a statement regarding this matter."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"Sir, I do not think that I can offer a mere silent vote on this resolution which brings up for discussion a subject which has been next to my heart ever since I have had the privilege of securing a seat in this Council. I have often pressed, and sometimes pressed rather strongly, the claims of the Muhammadan community for a more extended system of hostel accommodation, and it was at the last session of this Council held at Dacca that I brought forward a specific resolution recommending a system of extended hostel accommodation for Muhammadan students. That resolution was not accepted, but in the course of my speech in support of that resolution I made certain statements which were challenged by Government, and I found out that when, later on, a representation was made on this subject by the Committee of the Muhammadan College Students' Association, a letter was written to the Association in reply, in which the position taken up by Government at Dacca was sought to be maintained. What I said at Dacca was this, that when in reply to a question of mine in this Council, Government stated that there were only 745 Muhammadan college students living in Calcutta, and were all provided for either with accommodation with approved guardians or in hostels or messes, I said that the figures somehow or other were not correct, and instead of the total number of 745, it was something over 1,100. My authority was that little pamphlet which had been compiled by the Muhammadan students themselves and which shows that the number was 1,127. If this had been my sole authority I might have thought that the boys had made some mistake in arriving at the figures, but for the information of this Council, I will read from the report of the Committee appointed by Government to consider the question of Muhammadan education of which the Hon'ble Mr. Hornell happened to be the President and Mr. Taylor the Secretary. This is what the report says in page 32, paragraph 114 :—

'We notice with regret that, out of 14,746 students studying in Arts Colleges in Calcutta, only 1,154 are Moslems, and we appeal to Government to take such action as will enable Moslems to have a greater share in the facilities which are offered for College education. We consider the poverty of the community, its inadequate representation on the Senate, Syndicate and Boards of Studies of the University, as also on the governing bodies of Colleges, the non-affiliation of Colleges in Arabic and Persian and the lack of hostel accommodation for Moslem College students, are the chief reasons why Moslems do not take greater advantage of the Collegiate system.'

There are two things we have noticed in this statement. In the first place, the figures supplied to us, viz., 745, does not tally with the figures set forth in this statement. Whether 1,145 represents the true figure or 745, is

Maulvi A. K. Fazl-ul-Haq; Babu Ambika Charan Mazumdar; Dr. Deba Prasad Sarbadhikari.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ—*concld.*

only a mere question of arithmetic, and I think whatever may be the real figure, 745 is certainly not correct. Therefore I think I was quite right when I said that although according to the computation shown by Government, the boys apparently were provided for with approved guardians or in hostels or messes, there was certainly a residuum who did not find accommodation in approved hostels or messes. The statement made in this report shows whether I was right or wrong and the figure 745 was not certainly correct

As regards the observation that has been made by the Hon'ble Mr. Rasul, all I would say is this that this is a matter which, more than anybody else, the Hon'ble the Vice-Chancellor, who is present here, will have to consider and I would only recall what he said in the course of the budget discussion in 1915, which will be found reported in the proceedings of the 6th of April last year. I quote his exact words—

'I admit that nearly enough has not been done in the matter of the expenditure on Muhammadan education, especially on claims for the establishment of a Muhammadan hostel.'

And in referring to that speech, it was you, Sir, who observed as follows :—

'As regards the Muhammadan hostel, we hope to erect one in the neighbourhood of College Square. In common with the Muhammadan Members of this Council, I listened with the greatest appreciation and interest to the endorsement of their claims and I feel quite confident their claim will now be translated into action when the Hon'ble Member as Vice-Chancellor comes to deal with the 10 lakhs of rupees recently made over to the University for hostels.'

I feel sure that when he comes to manipulate the figures in the course of the management of the affairs of the University he will earmark a sufficient sum for Muhammadan hostels in Calcutta."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"Sir, I was one of those who at the Dacca session was not convinced by the figures placed before the Council by the Hon'ble Maulvi Fazl-ul-Haq. From the inquiry which I have since made and particularly from the pamphlet which he has brought forward, I am now satisfied that there is a strong case for additional accommodation for the Muhammadan students, and my Hon'ble friend Maulvi Fazl-ul-Haq has met Government on their own ground. The Hon'ble Mr. Hornell has admitted that there are at least 1,100 Muhammadan students in the colleges in Calcutta, so that the plea raised at the time that 754 were provided with hostel accommodation still leaves a very large margin of about 400 students unprovided for. I do not know whether there are more than that number. I heartily support this resolution."

The Hon'ble DR. DEBA PRASAD SARBADHIKARI said :—

"Sir, some of the facts being within my knowledge, the Hon'ble Mr. Hornell suggested that I should place them before the Council before he speaks. For many years I have been very closely identified with Muhammadan educational interests in this Council and these interests have never been absent from my mind. That Muhammadan education is on a better footing than it was many years ago was due to the exertions of the department and of those who have been doing all they could to advance the cause of Muhammadan education without being Muhammadans by persuasion. But I must freely admit to-day that nearly all that ought to be done and can be done in the interests of Muhammadan education has not been done. I have never hesitated to say that it will be necessary to give that community

The Hon'ble DR. DEBA PRASAD SARBADHIKARI—*concld.*

special convenience and special concessions within limits of reason. No community can have more valuable asset than education, and it is only lately that our Muhammadan friends have begun to be alive to the value of this asset. I trust that with so many Muhammadan friends to assist us now on this Council the cause of Muhammadan education will grow more and more important every year. The Government is willing, the educational authorities in general are willing and the community itself is anxious. Therefore all the makings of progress are there. They are having somewhat better treatment than the general body of students will appear when you come to investigate the figures. Taking the number of Calcutta students to be roughly at 10,000 we have not been able to provide in these hostels for more than 1,000, that is 10 per cent. of the total. Of course there are licensed messes—and unlicensed messes that I should prefer not to describe—and such of our 9,000 students who do not live with their people will still have to reside in these messes. Taking the general percentage to be now provided in the new hostels at 10 per cent. what we propose to do is to give the Muhammadans 20 per cent., *i.e.*, 200 out of 1,100 Muhammadan students will be accommodated as against 1,000 out of 10,000 Hindu and Muhammadans. I do not claim any special merit in having been able to do that; that was more or less automatic. The original idea was in fact that in every hostel attached to a college 20 per cent. of the seats should be reserved for Muhammadans. That was the demand put forward and when we met at Conference in Darjeeling I pointed out that it would be a mistake to have 20 per cent. of Muhammadan students in mixed hostels attached to every college, because there were difficulties that could be foreseen, and the best thing would be to bring all the Muhammadan students together in a non-collegiate hostel on the basis that at least 20 per cent. of the total number of our hostel seats should be reserved for Muhammadans, though that was by no means the proportion of Muhammadan students; and out of 1,000, 20 per cent. would give about 200. That is the objective that we placed before ourselves in preparing the scheme which included hostels for the City College, the Ripon College, the Metropolitan Institution, the Bangabasi College and the St. Xavier's College besides the Infirmary for all colleges in Calcutta. A plot of land was acquired for the Muhammadan Hostel project and I believe that the finest hostel in Calcutta will be the Muhammadan hostel when completed. It will be named after His Excellency the Governor—the Carmichael Hostel—as announced at a previous meeting of the Council. I have been in communication with His Excellency and His Excellency has been pleased to allow his name to be associated with this hostel. We could also provide accommodation for 50 or 60 more students, possibly law and medical students, if we could put up another block. The hostel will have a prayer hall and a finer playground than many hostels in Calcutta. As a matter of fact more than one lakh out of Rs. 3,39,000 goes to Muhammadan hostel and the resolution is by no means well advised. Only Rs. 50,000 was available out of the 10 lakhs for the general scheme and the Government of Bengal were good enough to add more than Rs. 1,50,000. The whole Rs. 3,39,000 is practically earmarked, therefore an additional lakh is out of the question. I have indicated two or three schemes which may have been taken in hand when there is a saving."

The Hon'ble MR. HORNELL said :—

"Sir, I have been asked to make a statement. The only statement I can make is this. We had two grants from the Government of India for hostels. We were considering what we should do with these two grants. While things were in this condition the Government of India gave to the

The Hon'ble MR. HORNELL—*concld.*

University of Calcutta, not to the Government of Bengal, a grant of 10 lakhs of rupees. The Hon'ble the Vice-Chancellor has referred to a certain Conference that was held in Darjeeling. What happened at this Conference was that he came forward with a programme, and said that the University would undertake to build certain hostels, but that the bill came to more than 10 lakhs of rupees. We therefore agreed to supplement the amount which had been placed at the disposal of the University for the construction of hostels, by a contribution to the extent of something like 3½ lakhs of rupees, which were to be taken from these two Imperial Capital grants, which had been previously assigned to us. The Vice-Chancellor has explained that the whole of this provision which we are now discussing, viz., the provision of Rs. 3,39,000, has been made in the budget estimates for the coming year in order that we may pay to the University what we have undertaken to pay, and he has also explained that the University programme includes a hostel for Muhammadan students to accommodate about 200 students. Well, that is the only statement I can make.

Of course with reference to the general question, I am at one with the Hon'ble the Vice-Chancellor and the Muhammadan members that certainly what has been done does not meet the problem of accommodating Muhammadan students in Calcutta. That problem has been prominent during the last few years before the University and the Government, though I do not know that Muhammadan students are any worse off in this respect than the students of any other community. We have done something for Muhammadan students. We have enlarged the Baker hostel ; we have rented a house in Wellington Street, and a hostel is being constructed which will be for Muhammadan students. I am not going to discuss the question how far this provision is adequate. I welcome the attitude taken up by the Hon'ble Members with reference to the students of their community, because it amounts to this, that they will not tolerate the conditions which have been tolerated so long in Calcutta and elsewhere. It is an open secret that this guardian business is all nonsense. Of course, all students are reported to be living under approved conditions, because if the University did not admit that they were living under approved conditions, the University would have to send them away from Calcutta. It is exceedingly desirable that present state of affairs both as regards Muhammadans and Hindus should be ended as soon as possible. It will not certainly be ended in Calcutta without a good deal of expenditure, and my Muhammadan friends are perfectly justified in stirring this matter up until the present difficulties are removed. I am afraid I cannot suggest that there is any hope that there will be an extra lakh of rupees available, although I can undertake that the money the University require for the Muhammadan hostel now under construction will be paid to them."

The Hon'ble MR. A. RASUL said :—

"Sir, I do not think I can add to what I have already said, but I have just now been informed that some of the authorised messes have been done away with. The Vice-Chancellor and the other Hon'ble Members who have spoken on this resolution, including the Hon'ble Mr. Hornell, have all shown great sympathy, and we the members of the Muhammadan community present in this Council are certainly indebted to them. They have also explained that as far as this year is concerned nothing more can be done, but they will always try to do all they can for the accommodation of Muhammadan students. Some money has been spent out of this Rs. 3,39,000 in

The Hon'ble MR. A. RASUL—*concld.*

building a new hostel in Boithakhana which will be called the Carmichael Hostel. I do not think I can press this resolution, I beg to withdraw it."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XIV.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 50,000 be set apart for hostel accommodation on a moderate scale for about 300 students of the poorer classes, both Hindus and Muhammadans, in the Rajshahi College, suited to their means and position in life ; and

(*b*) the said sum be taken out of the lump provision of Rs. 9,25,000 for improving popular education under head 22—Education.

"Sir, I am a claimant in this resolution for Rs. 50,000 for hostel accommodation for about 300 students of the poorer class, both Hindus and Muhammadans, in the Rajshahi College, suited to their means and position in life. The idea is not a new one. Mr. Hornell some time ago saw the condition of the Rajshahi College and thought that hostel accommodation for nearly 300 students was absolutely necessary, and also some buildings are necessary for class accommodation and he prepared a scheme, and I believe a lakh or a little over a lakh for hostel accommodation and about a lakh for buildings were needed under his estimates. Lately in Rajshahi, the Rajshahi Association has undertaken to provide a large sum, about a lakh, for buildings and thereby the class accommodation question will be practically solved. Now hostel accommodation is urgently necessary. Though the Government estimate is for a lakh—I have suggested that accommodation on a moderate scale should be made for 300 students both Hindus and Musalmans. There is a Muhammadan hostel for accommodating about 100 or so, but it is occupied not only by the college students but also by the school students. Within the college compound there is accommodation for about 200, or so, Hindu boys and nearly 300 Hindu students live in different parts of the town in rented houses. In Rajshahi, it is well known that 80 per cent. of the population are Muhammadans, and they generally belong to the poorer class, the cultivating class. I advocate hostel accommodation for poorer classes, not for cheapening education, but my idea is that we should encourage boys to live in a style which is suited to their means and position in life. It is no good to bring up together a boy of the cultivating class to live with one of the landed aristocracy, and to allow him to acquire habits which will be unsuited to his home life. They will acquire habits which they will not be in a position to maintain when they leave college. A B. A. in the Education Department earns about Rs. 50 or so a month, and it is absolutely necessary that we should not make the same arrangements for boys of all classes. In the Rajshahi College there are nearly 800 students, out of which a little over 165 are Muhammadans. As I have already said, the population in the district is over 80 per cent., for the Muhammadans. That is not only the case in Rajshahi district but also in the Rajshahi Division. I have listened with great pleasure to the account given in moving the previous resolution by the Hon'ble Mover and other Hon'ble Members of the progress made for accommodating both Hindu and Muhammadan students in Calcutta. In this I advocate the cause of both

Babu Kishori Mohan Chaudhuri; Kumar Shib Shekhareswar Ray.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI—*concld.*

the Hindus and Muhammadans in north Bengal, where the Muhammadan population is greater than that of the Hindus. As I have said, a moderate arrangement is necessary simply because the boys come from classes who are not very wealthy and cannot afford to spend much for their accommodation. A demoralising effect is being produced upon the guardians, and amongst the Hindus, I may say, also in the marriage market. The fathers of brides are practically being taxed to the utmost for meeting the growing expenses of the student community. The guardians are also doing their best to extort as much as possible to meet the students' demands. So my idea is that the spirit of self-help and self-respect ought to be encouraged and we should provide such accommodation where they will learn how to live and how to manage. It is specially in this view that I have suggested one kind of arrangements to meet the demands of the poorer classes and another for the well-to-do classes, so that both communities may be benefited. As this is a very moderate demand, I hope it will be accepted."

The Hon'ble KUMAR SHIB SHEKARESWAR RAY said :—

"Sir, I come from Rajshahi and so I naturally feel interested in the resolution now before the Council. It asks for a very modest sum for a cause which should engage the careful attention of the Government as well as of the charitably disposed public even in war time. There are about 775 scholars in the Rajshahi College which ranks third amongst the Government colleges in Bengal so far as the number of students is concerned, but the accommodation provided for them in the hostels at Rajshahi is extremely inadequate. Compared with the hostel accommodation provided for in other Government colleges the state of affairs here demands for an immediate redress. The Director of Public Instruction in his report for the year 1914 has also taken notice of this inadequacy of hostel accommodation in Rajshahi; the case of the Muhammadan students was particularly noted, but three years have passed and nothing appears to have been done to remove this grievance. The Government are spending *lakhs* for providing hostel accommodation in Calcutta and Dacca, but I do not remember to have heard that any decent amount has been spent for a similar purpose in Rajshahi for a long time. Even good rented houses are not available here where the students can make their own arrangements. It is a pitiable sight to see the students going a-cringing from door to door in quest of a little accommodation —what a stunning blow it deals to their self-respect can be better imagined than described. Every educationist believes in the powerful influences of the surroundings in the formation of a student's character, but judging from the conditions prevailing in Rajshahi it appears that due attention is not being paid to this fact here.

"Sir, in all matters of progress and advancement our division, particularly our district, has suffered most. The partition and the re-partition of the provinces have made our lot worse. Dacca and its neighbouring districts got the lion's share in the new province of Eastern Bengal and Assam, and even after the re-partition their disappointment now has got to be allayed by generous grants from the Government, but the people of our part of the country have been neglected all along. The Government spend from provincial revenues amounts ranging from Rs. 237 to Rs. 134 for the education of each of the students in the other five Government Colleges in the province, but the expenses of the Government for educating a student in the Rajshahi College is only Rs. 52! Sir, I do not desire to dwell at length on the manner in which the Rajshahi people are being treated, but I appeal to the Government to take into consideration the claims of a much-neglected district and grant the prayer contained in the resolution moved by my Hon'ble friend."

Dr. Sarbadhikari; Mr. M. Ashraf Ali Khan Chaudhuri; Kumar Shib Shekhareswar Ray.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI said :—

"Sir, I have absolutely no desire to say anything against the request for providing Rs. 50,000 for hostel accommodation, but I feel it my duty to protest as strongly as it is possible for me to do, against some of the terms in which the Hon'ble Mover's proposal has been put forward here to-day. The last speaker spoke of a stunning blow to the self-respect of these students, but I cannot imagine a more stunning blow than has been administered here to-day by the Hon'ble Mover in his resolution. I cannot recognise such an invidious distinction between one class of students and another between the richer and the poorer classes. Wherever a proposition like that has been put forward it has been covered with ridicule and rejected as it ought to be. I hope Government will not lend themselves to such a proposal."

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI said :—

"Sir, I must first of all say that what I understood by the resolution was that the hostel accommodation for poorer classes should be provided. By that I understood that cheaper accommodation should be provided."

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY interrupting said :—

"I beg to explain that I am not in favour of different kinds of hostels for different kinds of students."

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI said :—

"Sir, if hostel accommodation is wanted anywhere it is Rajshahi that needs it most, specially for Muhammadans. The resolution recommends hostel accommodation for *poorer* classes of Muhammadan and Hindu students. As I am the Muhammadan Member from Rajshahi and a great majority of the people whom I represent are only tenants, I feel it my duty to see that this resolution is fully supported and passed. Rajshahi felt the need of hostel accommodation very long ago and so far back as 15 years ago the Muhammadan Association built two rooms with difficulty from subscriptions and they accommodated as many students as they possibly could. This state of affairs went on till the time when Sir Bampfylde Fuller paid a visit to Rajshahi. The Muhammadans approached him for a hostel, and we were lucky then to get a hostel. But even then we were unlucky. The ground floor of the hostel was allowed to remain unfinished as if in harmony with the unfinished administration of Sir Bampfylde Fuller. Why there is no more hostel accommodation for Muhammadan college students, I cannot say. The Rajshahi College was extended by the indefatigable energy of the Principal, but whether the Principal's energy failed when the question of the Muhammadan hostel accommodation came in, the Principal of the Rajshahi College can say or the Member in charge can say. It is not that there are not many Muhammadan college students. I am glad to say that out of 775 college students there are as many as 165 Muhammadans. The Director of Public Instruction in 1914 noted in his report that the hostel accommodation for Muhammadan students is very inadequate. The Muhammadans being poor they are very reluctant to come to Calcutta, an expensive place, if they can find education nearer home and live cheaply. We are 75 per cent. in the Rajshahi Division and if we get hostel accommodation we shall really be benefited. I know from personal knowledge that Muhammadan boys are accommodated in private houses by private people, but as the price of living has increased, Sir, private people are not so very willing to nor can they afford to keep the students as they used to do. My learned friend the Mover

Mr. M. Ashraf Ali Khan Chaudhuri; Mr. Hornell.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI :—*concld.*

has the reputation of giving board and lodging to Hindu students, and if there was another man, a Musalman, so philanthropic and charitable to Muhammadans, then our boys would not have suffered so much. With these words, I support this resolution."

The Hon'ble MR. HORNELL said :—

"Sir, the assignment from which the Hon'ble Member proposes to meet this expenditure is what is known as the 'Durbar grant'. I do not know whether the Hon'ble Member realises that the grant which he proposes to rob for purposes which he is advocating, is a recurring assignment. These recurring assingments were given by the Government of India under certain specific heads. The Hon'ble Member would have been justly indignant if we had been so reluctant to spend our recurring assignments, that we still have Rs. 50,000 from one of these assignments unallotted. But I do not understand how he proposes that we should divert Rs. 50,000 from an assignment which is recurring and which is being utilised; nor do I understand how he is going to divert an assignment which was given solely for improving primary and elementary education to something quite different. As a matter of fact, this particular assignment includes an annual grant of Rs. 1,32,000 for hostels, but that amount or the greater part of it, is assigned and it would be quite impossible to take Rs. 50,000 from that grant and to spend it on any capital project, however desirable. So, financially, the resolution is impossible.

"The Hon'ble Mover must be perfectly well aware that the question of hostel accommodation for the Rajshahi College has been occupying the close attention of the Education Department and the Government for the last three or four years. Three years ago I visited Rajshahi, and I have visited it several times since. We have worked out a programme and the sole reason why the new schemes have not been taken in hand was that all expenditure was held up owing to the war. What appears to be behind several of the proposals which the Hon'ble Mover has put forward lately is that he wants us to do something modest and in accordance with the real needs of the students. I fancy what the Hon'ble Member is really driving at is that hostels are unnecessarily extravagant. Well, so far as the building is concerned we have considered that question very carefully and after consultation with the Public Works officers who are responsible to Government for questions in connection with buildings, we came to the conclusion that it was impossible to build a hostel for 250 students for anything less than Rs. 1,90,000. Various *kutcha* buildings have been advocated from time to time. Although I do not profess to have any very great expert knowledge in these matters, the Public Works officers who have examined them, have come to the conclusion that *kutcha* buildings are really uneconomical, their repairs are very expensive and they are liable to be destroyed by flood or storm. As regards the hostel buildings which we propose to construct as soon as funds are available, I may say that they will not be *kutcha* but that no more money will be spent on them than necessary. As regards the expenses of the living arrangements of the students, the best way is to leave them to the students themselves. I can assure the Vice-Chancellor that we have no intention of having one type of hostel for the richer students and one type for the poorer. I can only say in conclusion that I hope that the hostel accommodation which we shall hope to provide as soon as possible will not have the demoralising effect upon the marriage market which the Hon'ble Member fears."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"Sir, I fail to understand why the Hon'ble Vice-Chancellor was very angry with me when I proposed that two types of hostel accommodation might be made, one for the poor and another for the richer students. However, if the Government policy be that only one class of accommodation must be made I am not very particular about it. If the students are left to themselves to make their own arrangements some of them might like to make cheaper arrangements, and if that is allowed, I am fully satisfied. I was suggesting that large expenditure might not be incurred. Whatever accommodation might be provided it should be with reference to the position of the student, that is, his position at home. Hostels are really substitutes of home, and what is done at home might also be tried to be done at hostels.

"As regards the question whether the sum is available or not, of course it is difficult for me to ascertain. I found that out of a grant of Rs. 9,25,000 for this year in the budget in the revised estimates there is a provision of Rs. 75,000 only. In the next year's budget a sum of Rs. 9,25,000 is provided. I could not think that nothing out of it was available for hostel accommodation and therefore suggested that it might be taken out of that sum. If it is conceded that hostel accommodation is necessary, whether out of this sum or any other, it might be provided. I am not very particular about the source from which the money should come. As I am a new Member, I could not ascertain that the sum was not available. Of course, I am glad to hear from the Hon'ble Mr. Hornell that Government is prepared to do it, as soon as money is available. But I think that if the whole sum cannot be provided for at once, something might gradually be done and some portion of it might be given at once. I believe that accommodation for 100 Muhammadans might be provided now. If it is not possible to provide any thing just now, it may be provided in the next year's budget, and so gradually the whole sum may be found."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XV.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 2,00,000, or such sum as may be deemed necessary this year, be set apart to meet the cost of acquiring lands in connection with Hostels for the Medical College, Calcutta; and

(*b*) the said sum be taken out of the grant of—

(*i*) Rs. 3,39,000 for Calcutta Hostels, or

(*ii*) in case a larger sum be required, the requisite sum be taken out of the non-recurring grants of Rs. 16,36,000 for original Civil Works for Land Acquisition and Buildings in connection with the partition of the districts of Midnapore and Mymensingh and also for Police buildings.

He said :—

"Sir, in moving this resolution I beg to draw the attention of the Council to a question I asked on the 4th September 1916. In reply to that question I was told that the question of providing a hostel for the students of the Calcutta Medical College was under the consideration of the Government and

Rai Mahendra Chandra Mitra Bahadur.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR—*contd.*

financial considerations precluded further progress with the rough scheme that had been prepared. And I had expected provision made for the purpose in the Budget before us. Unfortunately I have been sadly disappointed in the matter.

"My Lord, I remember how Lord Lansdowne in one of his speeches as Chancellor of the Calcutta University referred to the temptations to which students are exposed in this wilderness of a city. The situation has since grown worse. I do not know if the future is flashed with the radiance of beautiful dawn beckoning us into greater and brighter light,—but I cannot gainsay that the present is dark with the gloom of anarchial outrages which have sullied the fair fame of my province. At Dacca His Excellency Lord Carmichael said :—'I know that persons who, on their own showing, have sympathised with, or have committed these crimes have boasted that it is their practice to seek among the students for young men whom they may gradually persuade to join them' and 'Government officers have found young men who are, or recently were, students who admit that they have allowed themselves to be so persuaded.' And Bengal was glad to know that His Excellency wants to guard our students from the risks they run of being misled by high-sounding words. That risk becomes enhanced if students are allowed to live in messes where no proper supervision can be exercised over them. That the Government have been trying to remedy this state of affairs will be apparent from the substantial grants to private colleges—grants which have provided these institutions with palatial buildings for the accommodation of students. In these hostels the boarders are kept under the supervision of trained superintendents who are responsible for their conduct. It is certainly strange that though the Government is providing private colleges with these hostels and spending lots of money on an institution of doubtful utility like the Calcutta University Institute the claims of the Calcutta Medical College which is the only institution of its kind in Bengal, Bihar and Orissa and the premier Medical College in India—have so long and so persistently been overlooked. But, I beg to submit, that the claims of the students of this institution should be given priority over the claims of the students of other institutions as they have no fixed hours of attendance throughout the year and have, at times, to work in the morning during the day and again at night. The inconvenience, therefore, they feel when they have to live at a distance from the college or even near it in ordinary messes, cries aloud for redress and it should be the endeavour of the Government to remedy it. It is moreover an anomaly that while a handful of 'military students' of the college have been provided with a hostel—the general students are left to shift for themselves and are often obliged to live in undesirable surroundings —exposed to temptations from which it is the desire of the Government and the people to guard them

"Financial considerations can hardly be urged against the proposal. The Government propose to provide Rs. 40,000 for the construction of servants' quarters, stables, etc., for the Bethune College, and no less a sum than Rs. 3,00,000 for quarters for servants in the Medical College Hospital, and surely it will not be impossible to make a suitable grant with which to begin the work of providing the Medical College with a hostel. If no portion of the grant of Rs. 3,39,000 provided for Calcutta Hostels can be available for this purpose, cannot a sum of, say, Rs. 2,00,000 be taken from the grant of Rs. 16,36,000 for work in connection with the partition of the districts of Midnapore and Mymensingh and Police buildings? My Lord, I will not waste the time of the Council by reviving the controversy about the necessity of partitioning the two districts—for the fiat has gone forth and nothing can now save the two districts from dismemberment and the people of Bengal from a permanent accession of administration cost. But I hope to be pardoned if I say that now when the Empire is engaged in a life and death

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR—*concld.*

struggle and when Imperial and the Provincial Governments ought to strain every nerve to make India's financial contribution worthy of her—it is hardly proper to give effect to expensive schemes which can well wait till better days bring with them better prospects and better opportunities for the Government to present prosperity budget. And if the Government are bent on accomplishing these expensive—I will not say extravagant—schemes, will it be presumptuous on our part to ask them to give us a portion of the allotment this year to remove a crying want? And after all it is but a modest demand that we make.

"My Lord, the educational policy of the Government is one in which the superiority of the present Government over its predecessors in India stands revealed; it is a policy which has trained the mind of young India to 'follow knowledge like a sinking star, beyond the utmost bounds of human thought'; it is a policy which has taught young India to consecrate science to the service of man and alleviate human misery. The proposal which I make will further the object of this policy. It will not only remove the inconveniences from which the students of the Calcutta Medical College at present suffer but also surround the future students with all those elevating memorials and sanctifying associations that march in glorious procession through time and make similar institutions in England and Scotland a dream of music for the inward ear and of delight for the contemplative eye".

The Hon'ble MR. BEATSON BELL said:—

"Mr. Vice-President, I shall not follow my Hon'ble friend into his poetic flights. I shall not argue whether Bengali students as a whole do, or do not, "follow knowledge like a sinking star." I shall not even spoil his picture by alluding to indecent scrambles for purloined examination papers. In fact, I shall look at the resolution from a purely practical standpoint.

"The Hon'ble Member has suggested that we should find the money for the Medical College Hostel either from the grant of Rs. 3,39,000 provided for Calcutta hostels or from our allotment for the partition of the districts of Midnapore and Mymensingh and for police buildings. I have nothing to add to what you have already said, Sir, that there is no possibility of Government consenting to reconsider the question of partitioning Midnapore and Mymensingh or the question of police buildings. It is equally impossible for us to dip into the grant of Rs. 3,39,000. The whole of that grant has already been earmarked for useful objects, connected mainly with private colleges. Therefore, we can see no way of accepting the Hon'ble Member's suggestions as to where the money should come from. At the same time, I can say at once that Government are quite alive to the necessity of improving hostel accommodation at the Medical College at Calcutta. As the Hon'ble Member is aware we have prepared a scheme which would involve an initial expenditure of something between 4 and 5 lakhs of rupees; but the money is still locked up in our earmarked balances. When we prepared the Budget this year we carefully weighed the respective claims of the Hostel and the Servants' Quarters at the Medical College. After much consideration we decided in favour of the servants' quarters, which are necessary to remove a crying scandal. Although we have unfortunately been unable to provide funds for building a hostel for the Medical College, Mr. Donald, Surgeon-General Edwards and myself are laying our heads together and are seeing what is the best temporary arrangement for carrying on the work. It may be that we shall resolve to hire a building for the accommodation of the students, or it may be that we shall make some other temporary arrangement, but I can assure my friend that the matter is at present receiving our anxious consideration. I

Mr. Beatson Bell; Rai Mahendra Chandra Mitra Bahadur; the Vice-President; Mr. M. Ashraf Ali Khan Chaudhuri; Maulvi A. K. Fazl-ul-Haq.

The Hon'ble Mr. Beatson Bell—*concld.*

need hardly say that there is one aspect of the question which should not be overlooked, namely, that the University Commission is soon coming to Calcutta and one of the main questions which they will consider is whether the Presidency College and the other Arts Colleges should remain in the heart of the city or should be removed to some place in the country. It is not for us to anticipate the decisions of the University Commission, but it is quite certain whatever they may decide about the Arts Colleges the Medical College must remain in the vicinity of the hospitals. Therefore, if it should come about that the Arts Colleges are moved to the mufassal we at once have available for the Medical College the excellent hostels which have been used for the Arts Colleges. There is a great deal therefore to be said for not incurring at the present juncture very large capital expenditure upon a hostel for the Medical College. In any case we mean to make the best possible temporary arrangement to meet the wants of the immediate future."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"I am glad to hear the assurance given by the Hon'ble Member and I beg to withdraw my resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEMS NOS. XVI AND XVII.

The Hon'ble the Vice-President said:—

"The next two resolutions are practically the same, and it has been suggested that they should be taken together. If the Hon'ble Maulvi Fazl-ul-Haq will speak on the first resolution and withdraw his own one, it can be arranged."

The Hon'ble Mr. M. Ashraf Ali Khan Chaudhuri moved the following resolution :—

This Council recommends to the Governor in Council that the non-recurring expenditure of Rs. 4,36,000 in connection with the partition of Midnapore and Mymensingh be suspended and that out of the said grant the sum of Rs. 2,36,000 be allotted for the establishment of a Muhammadan College in Calcutta.

The Hon'ble Maulvi A. K. Fazl-ul-Haq's resolution ran as follows :—

This Council recommends to the Governor in Council that the project for the partition of the districts of Midnapore and Mymensingh be abandoned and the provision made for the purpose be utilised for establishing a Muhammadan Arts College in Calcutta.

The Hon'ble Mr. M. Ashraf Ali Khan Chaudhuri in moving his resolution said :—

"My Lord, while introducing the revised financial statement in the last Council meeting the Hon'ble Mr. Beatson Bell remarked that the Budget

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI—*contd.*

was a War Budget. No section of His Majesty's subjects is more anxious to sympathise with the difficulties of the Government or to lend whatever support and assistance they can render during these critical times than the Muhammadans of Bengal. We are ready, my Lord, to sacrifice for the time being many of our cherished hopes if thereby we can make the task of the Government easier, but when we do find that the Government are undertaking any work which is not directly concerned with the requirements of the war nor is absolutely necessary for the task of good government or the advancement of the good of the people, we are not a little surprised, my Lord, at the attitude that the authorities take up in matters in which we are vitally interested and which we have been pressing on the attention of the Government as is humanly possible for us to do. What really makes the position worse for the Muhammadans is that the Government have felt it politic or should I say necessary to meet the demands of other sections while persistently ignoring those of ours. I find, my Lord, in the revised financial statement that the Government have reserved Rs. 4,36,000 in making the necessary preliminary adjustments for the partitioning of Mymensingh and Midnapore districts. What justification, my Lord, have the Government at this time to undertake a work which in all possible circumstances cannot be regarded as urgently necessary. It has been the fashion of the Government for some time past to partition Indian provinces and those who have some knowledge of the ease with which Government partition areas and with equal ease revokes their decisions have some misgivings about the justice and necessity of such schemes. In the days of Lord Curzon, my Lord, we all heard how absolutely necessary it was for the good Government of Bengal to divide her into two portions. But it did not take another Viceroy long to decide that his august predecessor was utterly in the wrong and that the annulment of the partition was the only way to ensure the good Government of the province. Bengal has been partitioned again this time for the creation of another province—I mean Bihar and Orissa. Who knows that some one somewhere in Whitehall or in the new atmosphere of Delhi is not thinking now that that was a mistake. When this is the history of partitions, my Lord, in this country, you will pardon us, if we withhold our admiration for this type of Government action.

"Even if this step of partitioning Midnapore and Mymensingh were proved to be necessary I would ask, my Lord, where is the justification for taking this step now when the resources of the country should not be thrown away in undertaking measures of dubious utility and which can be conveniently postponed to some other future day.

"But if the Government are flushed with money and is at a loss to find out any reasonable method of spending it we Muhammadans alone can suggest to the Government a score of different purposes for which money can be spent now either to remove serious obstacles in the path of progress or to give Government an occasion to fulfil the pledges to the Muhammadans of Bengal —pledges, my Lord, which with all due deference I must submit have often been honoured in the breach than in their observance.

"I know it is a serious charge to bring against the Government, but in order to substantiate my point I wish to recall the history of the last quarter of the century of Government pledges and Government actions with regard to the advancement of Muhammadan education in Bengal.

"Apart from the general question of Muhammadan education in all its branches and in every variety of institution I wish to point out what is more relevant to the subject-matter of this resolution that the Government have not gone beyond the expression of pious hopes which have done nothing to remove the difficulties of the Muhammadan students in getting admission to colleges or in pursuing their studies in a desirable type of institution in

Mr. M. Ashraf Ali Khan Chaudhuri.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI—*contd.*

Calcutta or in other populous centres of Bengal. The congestion that has occurred in the different colleges on account of the larger and larger number of passes every year has made the position of the Muhammadan students even worse. Not so far back as 1913 there were only 534 Muhammadan students who passed the Matriculation Examination. Last year, my Lord, the number was more than double, it being 1,125. But have the Government taken any step to relax their rule with regard to their admissions in the Presidency College? And if they are not prepared to do so, one is inclined to ask why the Government have not undertaken the task of establishing the Muhammadan College for which a scheme was prepared and almost approved by the Government.

"The demand for a Muhammadan College is an old one. Government felt the necessity of considering that subject as far back as 1871 when Sir George Campbell, the then Lieutenant-Governor, directed the Committee appointed to report on the affairs of the Calcutta Madrassa, to consider whether the Hooghly College should remain a general College with a Muhammadan School attached or whether there ought to be a separate Muhammadan College. It appears that the Government did not think it fit to establish a separate Muhammadan College at that time. Probably the Committee did not approve of that idea. But the Muhammadans have pressed the Government from time to time to consider that matter, as the necessity of such a step was increasingly becoming more urgent. In 1884 the Government of India in its Resolution of the Home Department, dated 23rd October, which adopts almost every one of the suggestions and recommendations made by the Education Commission thought it desirable to give the Muhammadans in some respects exceptional assistance in view of the backward condition into which in some provinces the members of that community have fallen. What steps, my Lord, have the Government of Bengal taken on such an important and worthy recommendation?

"It has been a far cry since 1884 till now, but even in recent years Government have not been loathe to solace us with promises for the special consideration of our case, but unfortunately those promises have remained till now unfulfilled. I shall not blame the Member in charge for the Muhammadan Education of Bengal if he points out in reply that the promises were couched in such vague terms that no definite Government action could be taken on them, that is, indeed the humour of the situation. It is always the way with the Government whenever a problem becomes troublesome and in which a large section of the community becomes actively interested that the Government either come forward with a promise to appoint a committee to inquire into the matter or whisper tidings into the ears of the leaders which has a miraculous soporific influence on them.

"As recently as 16th February 1912 Lord Hardinge uttered these high sounding words in reply to a deputation that waited in connection with the proposed University at Dacca. 'It may as you suggest', said Lord Hardinge, 'be necessary to give special facilities to Muhammadans. The inadequate arrangement for the collegiate instruction of Muhammadans was emphasised by the Vice-Chancellor in his address to Convocation in 1909. I can only say that any proposal to this end which the new Governor of Bengal may take will receive the sympathetic consideration of the Government of India.'

"We all know what steps the Government was taking to give those facilities. It was Lord Hardinge himself who proposed the establishment of a University at Dacca and the Committee that was appointed under the chairmanship of Mr. Nathan to report on the whole matter suggested the establishment of a separate Muhammadan College at Dacca. About the same time, specially

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI—*contd.*

when the difficulties in establishing a University at Dacca became more and more acute, the question of the establishment of a Muhammadan College in Calcutta was again revived. The Government, it seems, thought it advisable to give serious consideration to this question, and we know that the Member in charge of the Muhammadan Education was making tremendous efforts to translate the idea into action. But here again as in all other previous cases the Muhammadans after seeing light for a short while were cruelly left in the wilderness and they know not whither to go.

"The need for a Muhammadan College could not have been better expressed than in the words of the Hon'ble Member in charge of the Muhammadan Education who in the course of his speech in seconding the resolution in the Town Hall Meeting said that, having regard to the increased demand for higher education among the members of the Muhammadan community, there could be no doubt that by raising the Calcutta Madrassa to the status of a 1st grade college, Government will be giving a great impetus to the cause of Muhammadan education.

"It is unfair to fling the unofficial utterances of the Hon'ble Member when he is holding quite a different position now in relation to the community and the Government.

"The Hon'ble Mr. Hornell year before last shared the regret of the Muhammadans at the postponement of the scheme for Muhammadan Arts College, but he let us understand that we could rest assured that so long as the present Hon'ble Member was in charge of the Muhammadan Education an opportunity for materialising the project will not be missed.

"My Lord, the opinions and pronouncements from high quarters raise high hopes in the heart of every Muhammadan. But your Lordship knows what deferred hope and missed opportunities may lead to. Year after year the demand for higher collegiate education is becoming keener and keener among the Muhammadans. Have we the adequate means to meet the demand? Muhammadan students are refused admission owing to the want of accommodation in the present colleges. The Muhammadans being poor cannot defray the expenses which under the new regulation are going higher and higher.

"In 1913, 513 Muhammadan students passed the Matriculation Examination. We need not argue here why a large number of them cannot continue their studies. Whether one admits or not it was an open secret that they could not get admission in any college. Would it be surprising that in a single year in recent times 77 students from West Bengal and 76 from East Bengal districts were refused admission. I find in Mr. Fazl-ul-Haq's speech delivered in this Council in 1913 that more than 230 students were refused admission in Calcutta in 1911.

"Last year 1,125 boys passed the Matriculation Examination, nearly double the number of 1913. Circumstances have not changed since then.

"It looks like a miracle that this number can be provided for in colleges without any outward signs of change. There is a regulation about the limitation of numerical strength of college classes. This is detrimental to the Muhammadan students, a large number of whom failed to get admission into the already crowded classes. Then again selection for admission on the basis of passes in the higher divisions. This is another cause of exclusion for many a Muhammadan boy from the college.

"Everything possible should be done to see that Muhammadan boys get collegiate education. This is matter of great mortification to us-Musalmans

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI—*concld.*

that after all said and done by the Government nothing further than a mere notification for the acquisition of a site has been done for the establishment of a proposed Muhammadan College. My Lord, the Government are in honour bound to give this matter serious consideration. Whenever an opportunity occurs Government should redeem their pledge. I submit that the proposal I am making is a reasonable one. The Government can not give any proper excuse for ignoring when they are deliberately prepared to spend not even 4 lakhs, but altogether 16 lakhs of good money and our money for the partition of the two districts which does not call for immediate action or would not upset the Government very much if it was not undertaken at the present moment. With these words I commend the resolution for favourable consideration."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"Sir, I have spoken so often on this very subject, that I am afraid it will only be repeating myself if I attempt to say more than a few words in support of the resolution which has just been moved by my Hon'ble friend Mr. M. Ashraf Ali Khan Chaudhuri. I am inclined to think that this resolution is a very ill-fated one. It comes up to-day, being according to the Hindus, *tri-osporsha*, one of the most inauspicious days in the year, and it also comes up at a time when all the members of this Council would be inclined to look at the hands of the clock pointing to a quarter to six. I do not therefore think that any useful purpose would be served if I put forward before this Council any of my arguments which I have so often urged in this Council for the support of a proposal for the establishment of a Muhammadan Arts College in Calcutta.

"The real point that underlies the question is this, that owing to various causes and owing to the efforts that are being made by Government in inducing Muhammadans to take more keenly to the system of education now in force in this country, we find that every year there is an ever-increasing number of students who after passing the Matriculation Examination of the University, seek admission into the colleges. If our statistics convey any meaning they show that the existing colleges with the amount of restrictions put on admission, are hardly sufficient to provide accommodation for all the Muhammadan students that seek admission into the existing colleges in Calcutta. It may be said that the same argument applies in the case of the other communities. I admit that they do, but there is one fact which we cannot ignore, and it is this, that it is only very recently that the Muhammadans have shaken off their apathy towards English education, and are willing to take advantage of the prevailing system of education. It would be a disaster if an impediment were put in the way of students, either by the want of accommodation for the students in hostels, or the number of admissions that are available for students for seats in the existing colleges. It is therefore necessary, in order to limit the number of disappointed students, to establish at least one well-equipped Arts College, and I think we are all agreed that a college like this is a necessity. If I understood the members of the Council who spoke on behalf of the Government when this proposition was first brought up before this Council, I thought that there was something like a definite promise on the part of Government to provide such a college in Calcutta. The only question was about the funds, and a beginning was also made when a plot of land was acquired in Wellesley Square some time ago, and though nothing has been done since, I believe that the Director of Public Instruction and the Member in charge of Education have been trying their best to fulfil their pledge and do something for the establishment of this much-needed Muhammadan Arts College. Unfortunately, however, nothing has been done yet, and running my eyes through the pages of the Financial Statement, I find

The Hon'ble MAULVI A. K. FAZL-UL-HAQ—*concld.*

that the question of the partition of the districts of Midnapore and Mymensingh can very well be abandoned at least for the present, and the money thereby set free being utilised for a project about the necessity and utility of which we are all agreed. I have heard official members speak on the urgent necessity of the partition of the districts of Mymensingh and Midnapore. I do not wish to detain this Council with any remarks on that point, but I will only say that it is no use trying to convince us that the question of this partition is one of imperative and urgent necessity because we are all convinced that it is not. It is no use arguing that the scheme of administrative efficiency, however apparent or however peremptory it may be, can for a moment be set in the balance against the unanswerable claims in furtherance of education, because we have no doubt that schemes of education are unquestionably superior to those even of administrative efficiency. It is for these reasons that I think that when so many non-official members unite in condemning the carrying out of the scheme of partitioning two districts at the present moment, that that project be abandoned and I think it will meet with the unanimous approval of all non-official members in this House that no better project can be suggested than that of spreading education among the Muhammadan community by establishing the much-needed Arts College. It is for these reasons that I support my friend Mr. Ashraf Ali, and although he has suggested that a portion of the amount be set apart, I suggest that if that project be abandoned, the whole amount set free should be set apart so that we may make a suitable beginning in this direction. Of course if we fail and if Government are not prepared to abandon that project at the present moment, both our resolutions fall to the ground. I am not opposed to the partition of the two districts. Whatever may be the views of the non-official members on this point, I am personally convinced that the question of the partition of these two districts be taken up by Government, and the sooner the better. The question now is which of these should be taken up first, and so far as I am concerned, I vote certainly in favour of the Muhammadan Arts College."

The Hon'ble MR. AMINUR RAHMAN said :—

"Sir, I do not wish to inflict a long speech on a tired and jaded house. It is not quite clear whether it has been decided that the money that has been set apart for the partition of Midnapore and Mymensingh will be spent for that object. It seems to me by the fact that two previous resolutions have been defeated, that the Government have almost made up their mind to spend that money for the partition of Midnapore and Mymensingh. If there is any doubt on the subject, then there is some reason in pressing this resolution. There has been some talk of establishing a Muhammadan College in Calcutta and the Hon'ble Member in charge of Education in the Executive Council has always taken a keen interest in the matter. That has raised very high hopes in the minds of the Muhammadans. Apart from that, the existence of a Sanskrit College in Calcutta has made the Muhammadans determined to get a Muhammadan College for themselves. We know that when the Government were thinking of establishing a University in Dacca, they also proposed that the Muhammadans should have a separate college for themselves. Somehow or other that scheme has fizzled out for the time being and that has made the Muhammadans very disappointed. If the Government can see their way to establishing a Muhammadan College either now or at some future date in Calcutta, I think that the Government will have done a great thing. This problem of education, though it is a very pressing one at all times, becomes doubly so at war time. If the people of the country be not prepared for competition after the war, they will find themselves in a very sorry condition indeed. We all know that in European countries the problem of education is

Nawab Sir Syed Shams-ul-Huda.

The Hon'ble MR. AMINUR RAHMAN—*concld.*

becoming one of the biggest problems; and they are doing all that they can do to fit their countrymen for the struggle for existence that will ensue after the war. The struggle and the competition that will come after the war will be one of the greatest. We all know the Muhammadans are very backward in this country and if they are not fitted for the struggle, they will probably find themselves absolutely lost. It is for this reason, if some impetus can be given to Muhammadan education in this country, the Government will earn the gratitude of the Muhammadans for the work they will have done. I therefore think that although the Government will probably find themselves unable to undertake the work at present, they can promise that they will do so as soon as possible. And the Muhammadans will be satisfied with that promise."

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA said:—

"Sir, I wish that in dealing with this resolution I could utter words of hope to the Hon'ble Mover, but I do not like to give sympathy alone where I cannot translate it into action. I may assure my Hon'ble friends who have spoken on this subject that nothing has been in these years nearer my heart than the establishment of an Arts College for Muhammadans in Calcutta. We have tried our best, but we found at the end that the circumstances are such that we must consent to a postponement at any rate for some time. That we were in earnest is clear from the fact that we took a large plot of land at considerable cost for the building, but when the war came, we realised that it was not possible, so long as the war lasted, to establish this Muhammadan Arts College. Probably my Hon'ble friends have not realised the amount of cost that is involved in the scheme. The resolution asks that non-recurring expenditure of Rs. 4,36,000 in connection with the partition of Midnapore and Mymensingh be suspended and out of that grant the sum of Rs. 2,36,000 be allotted for the establishment of a Muhammadan College in Calcutta. I do not know how my friend has arrived at this figure of Rs. 2,36,000 and he has not in the course of his speech given any explanation of it. It will interest him to know that when we first considered this matter we had detailed estimates prepared and the recurring expenditure worked up to nearly 13 lakhs. The idea then was to demolish the present building which accommodates the Anglo-Persian and Arabic Department, and to build a new house, worthy of an Arts College, on that site and to provide a new building in Wellesley Street site for the accommodation of the Anglo-Persian Department. The cost of the scheme would have been about 13 lakhs inclusive of the land. Afterwards it was suggested that we might leave the old building as it was for the present and then the non-recurring cost would be greatly diminished. We examined the question and thought that we might at any rate as a make-shift, have a new building on the Wellesley Street site for a college, and build in such a way that, if necessary, it might ultimately be suitable for the Anglo-Persian Department. The idea was for the present to leave the Madrassa building as it is. The cost of this was estimated at over 4 lakhs, so that the minimum non-recurring expenditure required for the minimum scheme was more than 4 lakhs, and Rs. 2,36,000 would not go very far in building a house for the Muhammadan College or for the school.

"There is another difficulty. My Hon'ble friends in asking for Rs. 2,36,000 have not considered the question of the recurring expenditure. That alone came to about Rs. 70,000. The resolution does not say from where the recurring expenditure is to come. There are various other difficulties, difficulties of recruiting men for the Indian Educational Service, because the Secretary of State has definitely told us that at the present moment it is not possible to have

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA—*concld.*

men appointed to the Indian Educational Service in England and my feeling is—and that feeling will be shared by the Muhammadan members of this Council—that if we cannot have a first grade college it is much better that we should have none at all. We had a second grade college in the Calcutta Madrassa. At one time I was one of the staff of that institution. The second grade college was found to be an absolute failure, and I was glad when it was abolished. To have a first grade college with a number of men all in the Provincial Educational Service, will not, I think, satisfy the demands of the Muhammadan community, and even then the cost would be considerable. We were in hope that we would be able to establish a Muhammadan College worthy of the community before the war, but when the war came we all realised that having regard to the large sums involved, it was not possible to carry the scheme into effect soon. Besides we have not as yet been able to secure the sanction of the Government of India for the establishment of this Arts College, and as it involves a large recurring expenditure, it cannot be done without the sanction of the Secretary of State, and having regard to the conditions recently laid down by the Secretary of State, I am certain that even if he approves of it, it has no chance of being financed so long as war conditions prevail. The question has been further complicated by the proposed appointment of a University Commission to examine the whole question of University education in Bengal. It is possible that that Committee would consider the desirability of not having any more colleges in Calcutta or even of transferring the existing colleges to the suburbs of Calcutta. With these difficulties I am by no means hopeful that even if we could press for immediate provision for this Arts College, that we stand any chance of success. I have already told my Hon'ble friend, that his proposal to found a Muhammadan Arts College by taking away Rs. 2,36,000 from the expenditure in connection with the partition of Midnapore and Mymensingh cannot for a moment be entertained. It is wholly and absolutely inadequate and the resolution makes no suggestion of any provision for the recurring expenditure which is much more difficult. I believe my friend's desire is not to press us to accept his resolution, but to raise a discussion so that the Council may be informed of the Muhammadan feeling on the subject, and of the importance which they attach to the establishment of a Muhammadan Arts College. If that be his desire, I think he has succeeded. But if his desire is for the immediate establishment of a Muhammadan Arts College, I am afraid for reasons which I have already stated, I cannot hold out any hopes to him.

"Then comes the question of abandoning the partition or at any rate postponing the partition of Midnapore and Mymensingh. You, Sir, in dealing with other resolutions which made a similar demand have told the Council the immediate urgency of the partition. If your speech has not convinced Hon'ble Members of this Council, I am afraid nothing that I can say is likely to convince them, but there is one fact which the Council should remember, and it was pointed out to the Council by you, Sir, and that was this, that the amount to be spent on the partition of Midnapore and Mymensingh was allowed as a special concession to be spent for this specific purpose and we have no right, even if we abandoned the partition, to spend that money for any other purpose. It was a condition of the sanction, and if the partition is postponed, the money would lapse. For these reasons, I do not think I need say anything more. This question has been discussed threadbare before this Council and the Council has already accepted the importance and the urgency of the matter. I do not think I need say anything more, although I am extremely sorry to disappoint many who came with high hopes, I am very sorry I cannot accept this resolution, although nothing would have gratified me more than to see any immediate prospect of the establishment of a Muhammadan Arts College in Calcutta."

Mr. M. Ashraf Ali Khan Chaudhuri.

The Hon'ble Mr. M. ASHRAF ALI KHAN CHAUDHURI said :—

"When I first moved the resolution, I had some lukewarm hopes of being successful, but when my Hon'ble friend Maulvi Fazl-ul-Haq pointed out the unlucky hour and the unlucky day, I was quite convinced of it, as it reminded me of the unlucky date, the 13th, which is to-day. I do not want to be very long because it is very late, it is past six. I think the Hon'ble Member has shown me sympathy, but he has said that Government have no right to spend the money on any other thing except on the partition. Therefore, even if he had accepted the resolution, he could not have done what I wanted him to do, but, Sir, I want to say this only, we are very sorry to hear that for the present and for the near future there is no hope for the college. If the Government wanted to have the college they could have done so with this money. I believe they could have started a building and then the recurring expenditure could have been provided from the sources from which they would have given it before the war. We wanted to make a small beginning. I know very well if we do not have a beginning now, we shall not have any beginning for some half-a-dozen years to come, because after the war the present state of things will continue. I do not want to say anything more, but I am very sorry that my resolution could not be accepted."

The motion was then put and lost.

The resolution standing in the name of the Hon'ble Maulvi A. K. Fazl-ul-Haq (Item No. XVII) was, by leave of the President, withdrawn.

Adjournment.

THE Council was then adjourned to the next day, Wednesday, the 14th March, 1917, at 11 A.M. in Government House, Calcutta.

C. TINDALL,
Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council.

CALCUTTA,
The 17th March, 1917.

B. S. Press—23-4-1917—3437J—450—A. G. R. & others.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House Calcutta, on Wednesday, the 14th March, 1917, at 11 A.M.

Present:

His Excellency the Right Hon'ble THOMAS DAVID, BARON CARMICHAEL OF SKIRLING, G.C.I.E., K.C.M.G., *Governor of the Presidency of Fort William in Bengal, presiding (from the afternoon).*

The Hon'ble MR. P. C. LYON, C.S.I., *Vice-President, presiding (in the forenoon).*

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA, K.C.I.E.

The Hon'ble MR. N. D. BEATSON BELL, C.S.I., C.I.E.

The Hon'ble SURGEON-GENERAL W. R. EDWARDS, C.B., C.M.G.

The Hon'ble MR. J. LANG.

The Hon'ble MR. B. C. MITRA.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. H. L. STEPHENSON, C.I.E.

The Hon'ble MR. J. DONALD.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. W. W. HORNELL.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR.

The Hon'ble IHTISHAM-UL-MULK RAIS-UD-DAULA AMIR-UL-OMRAH NAWAB SIR ASIF QADR SAIYID WASIF 'ALI MIRZA KHAN BAHADUR MAHABAT JANG, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble DR. NILRATAN SARKAR.

The Hon'ble MR. J. MACKENZIE.

The Hon'ble MR. G. C. GODFREY.

The Hon'ble MR. AMINUR RAHAMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. R. GLEN.

The Hon'ble MR. PROVASH CHUNDER MITTER.

The Hon'ble SIR BEJAY CHAND MAKTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI, C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. F. W. CARTER, C.I.E.

The Hon'ble SIR A. BIRKMYRE, KT.

The Hon'ble MR. E. B. EDEN.

The Hon'ble MR. E. A. MARTIN.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MAULVI A. K. FASL-UL-HAQ.

The Hon'ble MR. A RASUL.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU MAHENDRA NATH RAY (*came in the afternoon*).

The Hon'ble MR. K. B. DUTT.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

[The discussion on the Resolutions on the Revised Financial Statement was resumed.]

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XVIII.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved the following Resolution :—

This Council recommends to the Governor in Council that—

(*i*) in addition to the provision made for completing the improvement which is being executed by the dredger *Foyes* to the Lower Kumar River at Charmaguria, a further sum of Rs. 50,000, or such other amount as may be required, be provided for dredging the Kumar River, from Nilochi to Takerhat (which is silting up at this place) to provide further improvements as a means of communication with the Beel Route canal in the District of Faridpur ; and

(*ii*) that such additional expenditure be met from reduction under the heads Police Re-organization and Improvements.

He said :—

"Sir, I opened the debate yesterday, I also begin it to-day. The Resolution which I have to place before the Council now is for the dredging of the Kumar river at a certain place, and I have suggested that the money required, which I have put down at Rs. 50,000, might be met from the reduction in the Police grant. Sir, if I had known that the allotments for the Police were as unchangeable and unalterable as the provisions of the laws of the Medes and Persians, I should have thought it necessary to refer to some other sources from which this money should be obtained ; but I may say without the gift of prophecy that the large allotment made for the Police, *viz.*, Rs. 18,10,0 0 will not all be spent and cannot possibly be spent, during the next year, and I believe a certain amount of it will be left unexpended from which this very small sum of Rs. 50,000 might well be met if the Government chooses to accept the Resolution.

Sir, the draft statement shows that a provision of Rs. 75,000 has been made for dredging the lower Kumar river near Charmaguria in connection with the Bhil-route canal in the district of Faridpur. I desire to point out that there is a bend of the Kumar river between Nilokhi and Takerhat, where it joins with the Bhil-route canal. This bend is silting up at certain places and thereby seriously obstructing navigation of boats during some part of the year. This channel is highly important as a feeder to the Bhil-route canal and connects Bhanga and other important centres of trade higher up. It is of the utmost importance as a means of communication as well as for the development of trade that this bend of the Kumar river should be kept open and clear all the year round.

Sir, in this connection, I have to make one more observation, although I do not consider it necessary to move any separate Resolution for the purpose. The Bhil-route canal has no doubt proved a great blessing to the people, and I find that a suitable provision has been made for the completion of the embankment which has been constructed on one side of the canal providing a road from Gopalgunge to Surdiaghat station. Unfortunately, this one-sided embankment has caused great hardship to the villagers on both sides. During the rains on one side the houses and the fields are overflooded, destroying the jute and the paddy, while on the other side they are parched and dried up for want of necessary water. Then, my Lord, I have my information that most of the small village khals and outlets falling on the line of the embankment have been closed. This is a very serious matter, as the closing of the khals and outlets is not only a serious obstacle to necessary communication with the interior but has also obstructed the drainage of the villages. If this obstruction continues, I am afraid malaria will soon appear in these places. I, therefore, suggest that in improving and completing this embankment, care

Babu Ambika Charan Mazumdar; The Vice-President; Mr. Mackenzie; Mr. Cowley.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR—*concld.*

should be taken to provide a sufficient number of sluices at intervals and also construct bridges (they may be wooden ones for the present) where any village-khal or outlet has been closed by this embankment. This is indeed a serious matter."

The Hon'ble the VICE-PRESIDENT said :—

"The Hon'ble Member in addressing Council at length on this subject is out of order. He must confine himself to his motion."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"I was only making a suggestion and I have nothing more to say."

The Hon'ble MR. MACKENZIE said :—

"Mr. Vice-President, I desire to say a few words on the subject of this Resolution, not because I have any hope that it will meet with acceptance at the hands of the Government to-day, nor because I desire to despoil the funds provided for the much-needed improvements in the Police, but because I desire to put on record my opinion that the improvement suggested by the Hon'ble Mover of this Resolution is deserving of consideration at the hands of Government, as soon as circumstances permit. I find, on looking into some correspondence on the subject, that as early as March 1914, the Superintending Engineer of the South-Western Circle, instructed the Executive Engineer to take steps to remove the snags and bars from the point referred to. That nothing has been done so far is due to the fact that there are more urgent projects in hand, and I think that all that the Hon'ble Member can look for to-day is an assurance from Government that, as soon as a dredger is available, this project for improving the Upper Kumar river will be taken in hand. Having a pretty shrewd idea of what the Hon'ble Mr. Cowley will say presently, I would not have troubled to get up to-day, had it not been that I wished to place on record before His Excellency goes, my great appreciation of the very keen interest which he has always taken in questions relating to waterways, and to express the hope that as a result of that interest we shall before long have at work a fully-fledged Water-way Department whose duty it will be to systematically conserve and improve those most valuable assets of the State, the great rivers of Bengal and the adjoining provinces. To quote from Sir W. W. Hunter in the Imperial Gazetteer of India :—

> 'Rivers first create the land, then fertilize it and finally distribute its produce.'"

The Hon'ble MR. COWLEY said :—

"Mr. Vice-President, I propose to deal first with the second portion of the Hon'ble Member's Resolution. He suggests that the additional expenditure required for dredging the *Kumar* river be met from the provision under the head of Police Re-organisation. That is a provincial head of expenditure, while the work of dredging the *Kumar* river will fall under head "43, Minor Works and Navigation," which is half-Imperial and half-Provincial. Therefore, the re-appropriation the Hon'ble Mover proposes, is totally inadmissible.

The Hon'ble Member suggests that we should employ the dredger *Foyers* for dredging the upper *Kumar* river, and that a sum of Rs. 50,000 be set aside for this purpose; that is to say, he proposes that the dredger *Foyers* be utilised for a period of two months in dredging this *Kumar* river. It is unfortunate that Government have at present only two dredgers, *viz.*, the *Foyers* and the *Alexandra* and it is absolutely impossible, even if we allotted funds now to obtain more dredgers during the war. These two dredgers will be fully occupied during the year in dredging the main steamer routes between Calcutta, Assam and Eastern Bengal. It is imperative for us to maintain these routes.

Mr. Cowley; Babu Ambika Charan Mazumdar; Mr. Beatson Bell; Rai Mahendra Chandra Mitra Bahadur.

The Hon'ble MR. COWLEY—*concld.*

It is true that we have also proposed to divert one of these dredgers for a short period of time to dredge the mouth of the *Buxi Khal* or the *Hoorhora Khal* where it falls into the river *Rupnarain*. This dredging is part of our proposals for mitigating the effects of the floods of the Damodar on its western bank, and it is recognised that this is of primary importance. With this exception, the programme of our work for our dredgers is confined to dredging the main steamer routes which must be efficiently maintained. If we had more dredgers and more money, it would have been possible to accept the Hon'ble Member's Resolution, but as matters stand at present, I do not see how it is practicable. When we are, however, in a position to obtain more dredgers, we shall certainly remember the case of the upper *Kumar* river.

The Hon'ble Member has made some observations with reference to the embankment to the south of the *Madhripur Bhil-route*, but I do not propose to discuss them now."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"Sir, the want of a dredger may be a difficulty, but I may point out that the place which I indicate in my Resolution would not be far from Charmaguria where the dredger will be employed. It will only be a few miles up where this bend of the Kumar river is sought to be dredged. If the Hon'ble Mr. Cowley will give me an assurance that the matter will receive the attention of Government when a favourable opportunity comes, I am prepared to accept it with thanks."

The Hon'ble MR. BEATSON BELL said :—

"The matter will certainly receive the attention of Government."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"In that case, Sir, I do not press my Resolution."

The Resolution was then, by leave of the Vice-President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XIX.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR moved the following Resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 25,000 be set apart for improving the present insanitary condition of the Berhampur sluice on the Bhagirathi embankment in the district of Murshidabad; and

(*b*) the said sum be taken out of Rs. 1,02,000 provided for Nadia rivers.

He said :—

"Sir, on the 13th December last, I asked the Council a question about the unsatisfactory and insanitary condition of the Berhampore sluice on the Bhagirathi embankment in the district of Murshidabad. In reply, the Government admitted that some improvement was necessary and the matter was receiving the attention of Government. Then on the 23rd January last, I put another question inquiring about the estimated cost of improving the sanitary condition of the sluice. I was told that the Government expected to receive the estimates shortly and I was assured that when received the estimates would be considered by Government. I find in the Budget before us that a sum of Rs. 1,02,000 has been provided for works connected with the Nadia rivers and I hope Your Excellency's Government will issue necessary instructions to the Executive Engineer, Nadia Rivers Division, to take up the matter and thus remove a standing nuisance which is a menace to public health."

Mr. Cowley; Rai Mahendra Chandra Mitra Bahadur; Babu Brojendra Kishor Ray Chaudhuri.

The Hon'ble MR. COWLEY said :—

"Sir, the estimate which has been referred to by the Hon'ble Member in his speech amounts to Rs. 7,600. This estimate provides for the improvements to the drainage channel from the Berhampore sluice to Berhampore bhil and if the channel be extended from the Municipal culvert under the Berhampore-Khagra road to the deep portion of the Berhampore bhil, the additional cost will be something like Rs. 2,500; so the total estimate of the cost will be about Rs. 10,000. Government have decided that the work, being one of urgent necessity, will be sanctioned and that funds will be provided for it from the sanitation grant at the disposal of Government in the coming financial year."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"Sir, in the circumstances explained by the Hon'ble Mr. Cowley, I shall be satisfied with a grant of Rs. 10,000 and beg to withdraw my Resolution."

The Resolution was then, by leave of the Vice-President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XX.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI moved the following Resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 1,00,000 be allotted for the purposes of preparing a definite and comprehensive scheme for the improvement of rivers in the Dacca Division and for giving such effect to it as may be decided upon under expert advice and guidance; and

(*b*) the expenditure be met out of the total provision of Rs. 24,66,000 made for original works under head "Civil Works in charge of the Public Works Department."

He said :—

"Sir, in putting up a plea for an effective improvement of the rivers in Eastern Bengal, all that I ask for is a fuller recognition of the enormous value of navigable water-ways and a larger employment of our resources, under a comprehensive scheme, for their permanent improvement. I readily acknowledge the efforts so far made by the Government in this direction; but I do not know if the magnitude of the present evil has been fully realised. To my mind, the choked up water-ways of Bengal have grown into a serious menace to the health and prosperity of the country, and they call for more than fitful attempts at their improvement. Sir, I am strongly persuaded that in tackling the problem of the water-ways of Bengal, we can no longer depend upon partial measures and temporary makeshifts, but should set about working under a comprehensive and definite scheme, the absence of which was, only the other day, admitted by the Hon'ble Mr. Cowley. The present condition of the water-ways of the Presidency may, I am afraid, be ascribed to an inadequate appreciation of their great economic importance and necessary relation to railways. I am reminded that even in Europe and America, the importance of the water-ways was all but forgotten on the birth of the Steam Engine, but the Governments in those countries have now risen to a full consciousness of the enormous importance of navigable water-ways not only as a means of communication but also as an essential requirement for the growth and development of industrial enterprise and for exploiting the country's resources. Explaining how the nations in the west have now come to attach particular importance to their water-ways, Mr. O. C. Lees, Superintending Engineer, South-Western Circle, Bengal, in his six lectures on water-ways in Bengal says :—'All the great nations have come to realise the paramount importance of providing abundant transport facilities in order to foster the development of industries and

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI—*contd.*

commercial enterprise. The recognition of the great economic value of water-ways, as a measure to this end, has been the natural outcome of that realisation. The practical result of this recognition has been the expenditure of enormous sums of money for the rapid improvement of existing water-ways and the construction of navigable channels. The large navigation schemes are now being pushed forward with the greatest activity, more especially in those countries fortunate enough to possess natural channels adaptable to modern requirements. This great movement has not taken shape with the idea of supplanting railway enterprise, or even of checking railway development, but in the rational belief that facilities for cheap transport can be better secured by water-ways which are as necessary as railways for the development of the country's resources. Finally, the outlay has, for the most part, been incurred, or at any rate is being incurred, to-day, without the expectation of any direct return in the shape of tolls, which in most of the countries have been totally abolished.'

Now, Sir, I do not intend to take the House through a reading of the string of figures representing the vast sums annually spent by the nations of Europe and America in maintaining and improving their water-ways. I am aware of their vast resources as well. I will only take little Belgium which has a total area of only 11,378 square miles, that is, in other words, one-seventh of the area of the British territory in Bengal. This small country, for 25 years, between 1875 and 1900, has spent close upon one crore of rupees for her water-ways annually, and, we are told, 'The Government attributed the commercial prosperity of the country almost entirely to the facilities of transport that had been secured by water-ways worked in connection with the railways.'

Sir, no comparison is my intention, for I am aware it may not be quite fair. An inquiry, however, as to what practical recognition has been made of the importance of the water-ways in our country will not be irrelevant. I admit I have not been able to ascertain the exact amount spent in actual works of river improvement. It is perhaps sufficient for my purpose to state that, so far as the rivers in my part of the Presidency are concerned, not more than Rs. 40,000 on the average have, annually, been spent for their improvement during the last ten years, and this, out of an average provision of 12 lakhs or thereabouts for the water-ways in the whole Presidency, distributed under the several heads of minor works and navigation by Public Works Department and by Civil Departments. I need only add that the above sum of Rs. 40,000 has gone only for the two rivers in Dacca, namely, the Buriganga and the Dhaleswari. The other rivers in the riverine districts of Dacca, Mymensingh, Faridpur and Barisal have practically received little or no attention. There is, of course, the Madaripur Bhil Route, a work of considerable magnitude; but I am sorry I am not in a position to form an idea of the value of the attempts made at actual river improvement in the interior of the Dacca Division. Judging from the facts before me, and knowing what I do, of the condition of the rivers in my part, I feel constrained to say that the claim of these rivers have never been adequately dealt with. It cannot be said that there have not been any difficulties in the way of internal communication, navigation and sanitation in rural areas of Eastern Bengal which are directly attributable to the deterioration of the rivers. No doubt, bandalling and dredging operations are going on for the last ten years; but as we have been informed by the Hon'ble Mr. Cowley, the dredging operations succeeded only partially, the results have not been of a permanent nature, and since 1915-16 dredging has been abandoned as of little use. This is all that appears to have been done for the improvement of rivers in that part of the Presidency where, more than elsewhere, the health and prosperity of the people depend very largely on the condition of its water-ways. If Bengal is rich in her rivers, Eastern Bengal is particularly so. The big rivers, the Padma, the Brahmaputra, the Meghna

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and the Jamuna, with their innumerable tributary streams and streamlets furnish, in that part, facilities for cheap transport, supply water to rural areas and means of internal communication and natural drainage. But how do these rivers fare to-day? Sir, it is perhaps unsafe for a layman like myself to enter into a technical study of the condition of the rivers, nor does there seem to be any necessity for so doing. The gradual silting up of these rivers is a stern reality. Water-logged streams, marshy tracts, stagnant waters and water scarcity, have now-a-days, been the rule, rather than the exception; and, I believe, with Dr. Bently, that it is these conditions that are directly responsible for the appalling rise in mortality from malaria and cholera. In Tangail, Jamalpur, Manikganj and Munshiganj the question of improvement of silted up-streams and khals and the need for canalisation are urgent. In Eastern Mymensingh, again, in certain parts, the disparity between the country-level and water-level, owing to the last great earthquake, is such as to have led to an entire stoppage of natural drainage over vast areas that need clearing up.

Sir, the popular notion is, that since the great earthquake of 1897, there has been a general rise in river-beds and a process of gradual silting up is going on, bringing on, in its train, general unhealthiness and water-scarcity in the areas through which these decaying rivers run. The Brahmaputra is dead at Mymensingh, and although, owing to periodical flooding, some parts in Eastern Mymensingh are yet free from malaria, Jamalpur, within recent years, has turned into a congenial soil for the growth and development of malaria, and signs are not wanting that the whole district will very shortly be in the firm grip of the disease. Indeed, it is high time that systematic efforts were made to save the rural population from all the evils of dying rivers. Sir, I again admit I cannot lay any claim to expert knowledge on the question of river improvement, but I cannot persuade myself to believe that nothing can possibly be done to improve the rivers, that things would better be left to themselves. I have it, however, on the authority of Mr. Lees, that 'In Bengal, at any rate, the conditions are more favourable for the improvement and extension of navigation facilities than in any other country in the world.' Indeed, Sir, the layman wonders why dredging operations cannot be undertaken so as to remove the silt deposits at the junction of tributary streams of the Brahmaputra, the Jamuna and the Padma? why cannot canalisation be undertaken in Vikrampur? why cannot the junction of the streams and khals in Mymensingh and other parts be opened up? The same authority has given it as his opinion that liberal employment of suction dredgers can alone secure effective results. The evil effects of silted up rivers have been admitted by Dr. Bently in his researches into the etiology of malaria. Mr. Lees, whose above opinions have been published by the Government of Bengal, points out the direction in which effective results can be obtained. The question, however, arises where are we to find the money? No less an amount than Rs. 24 lakhs 66 thousand have been budgetted for original works in charge of Public Works Department even in this year of unusual financial stringency, and this, roughly, forms one-third of the whole amount provided for Civil Works in charge of the said Department. Considering the enormous economic value of navigable water-ways, in transport facilities, and in development of industrial and commercial enterprise, considering also, that in my part they are the only possible means of internal communication, in view, again, of the appalling signs of depopulation from cholera and malaria in riverine districts; judging from a full knowledge of the local conditions, Sir, I certainly think that an allotment of a lakh of rupees, out of the liberal provision made for original works under the Public Works Department, for the purposes of a comprehensive scheme of river improvement in Dacca Division, is only a modest prayer, as much as it is a just demand.

With these words, Sir, I commend my Resolution to the acceptance of this Council."

Mr. Cowley.

The Hon'ble MR. COWLEY said :—

"Sir, the Hon'ble Mover has divided his Resolution into two parts: the first is the preparation of a definite and comprehensive scheme for the improvement of rivers in the Dacca Division, and the second is that funds be provided for effect to be given to such a scheme.

"This proposal is somewhat similar to the one which Government have already had under their consideration and which was referred to in this Council in the answer given to a question asked by the Hon'ble Rai Srinath Ray Bahadur, on the 5th March, 1917. Owing to the absence of so many officers of the Public Works Department on military duty, it has not been possible at present to proceed with one inquiry which the Hon'ble Member has suggested in his Resolution, but I may say that we have had several reports from the Superintending Engineer of the South-Western Circle on the small rivers in the Bakarganj district which should be improved, and these reports have been recorded and are not being lost sight of.

"The Hon'ble Mover has drawn attention to the great importance which is placed in Belgium and other continental countries on the importance of water-ways. I feel sure that he does not know what this Government have already done in this matter. We have now under consideration and hope shortly to submit to the Secretary of State, for sanction, a scheme involving an expenditure of two crores of rupees. Besides this, it might be of interest to the Hon'ble Member to know what expenditure has been incurred by the Government during the last three years in the districts of Bakarganj and Faridpur. I find that in 1914-15 the expenditure on the improvement of water-ways, generally in the Bakarganj district, amounted to Rs. 1,25,735; in 1915-16, Rs. 2,68,147 and 1916-17 (up to the end of February), Rs. 3,07,127. In the district of Faridpur, in 1914-15, it amounted to Rs. 3,71,018; in 1915-16, Rs. 3,89,146 and in 1916-17 (up to the end of February), Rs. 3,05,565. In addition to this, the expenditure on the improvement of the rivers Dhalleswar and Buriganga in the Dacca district in the same period amounted to Rs. 14,846. The total expenditure in the Bakarganj and Faridpur districts and on these two rivers in the Dacca district has amounted to the large sum of 19 lakhs in three years. We have in progress the improvement of the lower *Kumar* river, the *Madaripur Bhil Route*, the *Barani Khal* and other minor rivers.

"I must apologise to the Hon'ble Member, in that, I perhaps misled him when I informed him in my letter of the 1st March, 1917, that a sum of Rs. 42,250 had been set aside for the improvement of rivers in the Dacca Division. This mistake arose from a misinterpretation of the words 'Dacca Division.' The answer which I gave him was meant to refer to the 'Public Works Dacca Division' and not to the Commissioner's Division.

"We have at present only two dredgers, and we cannot possibly take up schemes over a very wide area with a small number of dredgers. Government have not, however, been unmindful of this, and the Hon'ble Member will be glad to know that before the war began, we had submitted to the Director of Stores at Home, specifications for dredgers which the Irrigation Department of the Government would wish to purchase. Of course, with the advent of the war, this expenditure has become impossible even if we could obtain the dredgers. We prepare a working programme for the two dredgers we have in our possession. This working programme is the forecast of what work the dredgers will actually do in the course of the year. The forecast has already been made for the coming year 1917-18, and I am sorry that we cannot pay more attention to the rivers in the Dacca Division beyond the main steamer routes which we will attempt to maintain.

"The last point is the question from which funds are to be procured. The Hon'ble Member proposes in his Resolution that the cost be met from the

Mr. Cowley; Babu Brojendra Kishor Ray Chaudhuri; Rai Mahendra Chandra Mitra Bahadur; Maulvi A. K. Fazl-ul-Haq.

The Hon'ble MR. COWLEY :—*concld.*

Head of 'Civil Works in charge of the Public Works Department.' This head, however, is a provincial one, while the cost of improvement of rivers falls under head '13—Minor Work and Navigation' which is a divided head. The reappropriation suggested is, therefore, impossible."

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI said :—

"Sir, in view of the assurance given by the Hon'ble Mr. Cowley, I beg to withdraw my Resolution."

The Resolution was then, by leave of the Vice-President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXI.

The following Resolution stood in the name of the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 60,000 be set apart for mitigating the effects of the floods of the Damodar caused by the silting up of the Banspati Khal, the Peorana Khal and Nabin Babu's Khal in the Amta Basin in the district of Howrah; and

(*b*) the said sum be taken out of the special provision of Rs. 2,50,000 set apart to meet the cost in connection with the projects for mitigating the effects of floods in the Burdwan Division.

He said :—

"Sir, from the information I have received this morning and from the conversation I had with the Hon'ble Maharajadhiraja Bahadur of Burdwan, I do not think that it would be justifiable on my part to press this Resolution and I beg to withdraw it. At the same time I shall ask the Hon'ble Mr. Cowley to consider how relief can best be afforded to these affected areas, because the Council knows well the ravages which the river Damodar has done to this part of Howrah. I, therefore, felt it my duty to bring this matter to the notice of this Council. As no portion of this amount (Rs. 2,50,000) is available, I have no other alternative than to withdraw my Resolution."

The Resolution was then, by leave of the Vice-President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXII.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ moved the following Resolution :—

This Council recommends to the Governor in Council that—

(*a*) a lump provision of one lakh of rupees, or such other sum as may seem necessary, be made for raising the initial pay of Munsiffs from Rs. 200 to Rs. 250 a month; and

(*b*) the expenditure be met from the lump provision of rupees two lakhs provided for unforeseen requirements.

He said :—

"Sir, a year ago, almost to a day, I moved this very Resolution in Council, and although I was not successful in inducing the Government to accept my Resolution, I had hopes that within a short time some steps would be taken to give effect to the recommendation in that resolution. I find, however, that during this one year nothing has been done and there are no indications that Government propose to do anything to give effect to such a recommendation. I do not wish to take up the time of this Council by discussing the merits and demerits of this Resolution, because I think we are all agreed that the Munsiffs are a most useful body of public servants and extremely hard-worked.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ—*concld.*

and the amount of duties they perform are not only of an onerous character but of the very greatest importance to the litigant public. There is one matter which, I think, we ought to take into consideration in discussing a Resolution like this. We are all aware that in the Provincial Civil Service, the Executive Service which is the exact parallel of the Provincial Judicial Service, the initial pay of Deputy Magistrates has been raised from Rs. 200 to Rs. 250; then in the Police Department, the Deputy Superintendents of Police start with an initial salary of Rs. 250. These two bodies of public servants start life very young, the Deputy Magistrates almost invariably before they are 25, and the Deputy Superintendents of Police also at that age, unless they are recruited from the department itself. In the case of Munsiffs, they have got to pass the B. L. Examination, practice as a Pleader for at least three years and then take their chance either of securing a permanent appointment or continuing to practice as a Pleader. I do not think I am far wrong when I say that Munsiffs never get a permanent post before they are 30 years of age. It is extremely unfair that Deputy Magistrates and Deputy Superintendents of Police start life at about 25 and start with an initial salary of Rs. 250, whereas, Munsiffs have to start at a much later stage of life at an initial salary of Rs. 200 only. I do not think that Government will, for a moment, encourage the idea that the Munsiffs are the least useful body of public servants. As far as I can understand from the reply which was given to my Resolution last year, the only difficulty in the way of Government was not only a financial one, but also the fact that the matter was under consideration by the Public Services Commission. Their recommendations have now been published, and I think that, since we are all agreed that a recommendation like this ought to be accepted and the recommendation of the Public Services Commission having also been published, the Government should lose no time in giving effect to the recommendation contained in this Resolution. With these few words, I beg to commend this Resolution to the acceptance of Government."

The Hon'ble BABU BHABENDRA CHANDRA RAY said:—

"Sir, the question now before us has been so thoroughly agitated for some time that it requires very few words from me in support. Government are themselves committed to the reform sought for in this Resolution. The increase in expenditure which the present proposal would entail, was even budgetted for a couple of years back. But the official conscience suddenly awoke to the thought that there was the Public Services Commission which might take exception to any act of justice being done behind its back. And true to the traditions of Red Tape, Government shelved the proposal. The official motto in these matters of reform seems to be—'don't do anything to-day, if there is a passable pretext for putting it off unless of course it concerns the well-being of the Police or District Partition schemes.' So the proposal was shunted off the rails. And now that the Public Services Commission has said its say, and indeed recommended, among other things, this very measure which we advocate to-day, we are certain to be told in the official reply that Government are absolutely helpless in these matters, until the report of the Commission has been properly sterilized and subjected to all sorts of bacteriological tests—until it emerges out of circumlocution office considerably boiled down and suited to the official palate. And when that glorious consummation is brought about, the poor Munsiff must again wait till there is a superfluity of cash in the Hon'ble Mr. Donald's strong-room, which even all the thinkable and unthinkable Police Schemes cannot exhaust. The Munsiff seems to be the step-child of Government, and must wait for his crumb of comfort till the others have had their fill.

"Sir, I want to impress upon this Council that the subordinate judiciary is one of the very few institutions connected with Government that command

Babu Bhabendra Chandra Ray ; Rai Radha Charan Pal Bahadur ; Dr. Deba Prasad Sarbadhikari ; Rai Mahendra Chandra Mitra Bahadur.

The Hon'ble BABU BHABENDRA CHANDRA RAY :—*concld.*

universal confidence and respect. In far off corners of this province, in uninviting surroundings, the modest Munsiff toils ceaselessly, embodying, in the eyes of the people, the virtues of an impartial and liberal Government and the noblest attributes of British justice. Rightly understood, the subordinate judiciary is by far the most valuable assets of Government, and something should be done immediately to better the prospects of its members."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"Sir, I rise to support the Resolution moved by my friend the Hon'ble Maulvi Fazl-ul-Haq. Members of Council will remember that this question has been discussed in this Council more than once and last year this matter was brought up before this Council by myself. We were then assured that the case of this deserving class of public servants will receive consideration at the hands of Government. Last year the Hon'ble Nawab Sir Syed Shams-ul-Huda stated, on behalf of Government, that they had already budgetted Rs. 21 thousand for increasing the initial pay of the Munsiffs, but that they were waiting for the publication of the report of the Public Services Commission. I need not repeat the exact wording of the speech of the Hon'ble Nawab, but it was understood that the Government viewed sympathetically the question of raising the initial pay of the Munsiffs. As has been observed, the Munsiffs are a hard-working educated body of public servants, but their initial pay does not compare favourably with that of the members of the sister service and to raise their initial pay will, I think, not entail a very great extra expenditure on the Government. I hope that this Resolution will meet with sympathetic consideration at the hands of the Government."

The Hon'ble DR. DEBA PRASAD SARBADHIKARI said :—

"Sir, I wish to associate myself wholeheartedly with the first part of the Resolution, but the second part which is a question of financing the scheme is always a difficult business on these occasions. Last year we were told that the long-deferred improvement might be soon expected and the pendency of the deliberations of the Public Services Commission which was standing in the way then of immediate action has now disappeared. Of course, there is the further difficulty that Government have not yet had an opportunity of considering the recommendations of the Public Services Commission. Members of this Council have frequently spoken on this subject and I am not sure whether we could add anything more on the literature of the subject. The Hon'ble Member in charge, who, as a Member of the Executive Council for the last five years, tried to do his best to improve the service, will soon be transferred to another sphere of public usefulness. What he could not do as an Executive Member, will probably be able to do as a Judge of the Calcutta High Court, and will give effect to improvement in one of the most valuable services of the Province."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"I beg to support this Resolution—at least the first part of it. Having some experience of the work of the Munsiffs in Civil Courts, I thought it my duty to bring their case before the Council. If the criterion of the judicial service is work then my submission to the Council is that their initial pay should be raised. Oftentimes they have got to work till late hours of the evening and all the satisfaction that they get is a poor salary. I think it is the duty of the Government to consider whether their initial pay should not be raised to Rs. 250, as explained by the previous speakers. I submit, therefore, that the Council will kindly consider the claim of the Munsiffs for a higher rate of pay."

Nawab Sir Syed Shams-ul-Huda ; Maulvi A. K. Fazl-ul-Haq.

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA said :—

"Mr. Vice-President, a great deal has been said by the Hon'ble Mover of this Resolution, as well as by those who have supported him, of the value of the services rendered by the Munsiffs to Government and to the public. As to that, there has been no difference of opinion at any time, and Government have always recognised the value of their services. Last year, a similar Resolution was moved by the same Hon'ble Member. I told him that I sympathised with him, but could not do anything until the report of the Public Services Commission was out, and he thought at that time that this meant an indefinite postponement. The report has now been published and now we know what the recommendations are, and if Hon'ble Members had cared to examine them he would probably have found that he was rendering a very doubtful service to the Munsiffs by recommending an initial pay of Rs. 250 for them, for, as a matter of fact, the recommendations of the Commission shows that they desire that the initial pay of the Munsiffs should be Rs. 300. The Government of India have promised that they would consider the matter most expeditiously. It seems strange that we should be asked to take the matter out of the hands of the Government of India at the present time by giving the Munsiffs an initial pay of Rs. 250. Apart from those considerations, it is proposed to meet the expenditure from the Head 'Unforeseen Expenditure.' It is always dangerous not to have some provision made for unforeseen expenditure, and this is not the least important part of the case. Anyhow, the Services Commission have proposed to improve very materially the prospects of the Munsiffs and Government have their report under consideration and this explanation will, I hope, satisfy Hon'ble Members."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"Sir, I understand, from what has fallen from the Hon'ble Member in charge, that Government are not prepared to accept this Resolution. I have been told that the recommendations of the Public Services Commission go much further than I advocate on behalf of the Munsiffs. But there is the element of uncertainty as to when these recommendations will be given effect to, and if I had any reason to hope that these recommendations would be given effect to within a reasonable time, I would not certainly have brought up this Resolution for discussion. My own feeling is that it will take years and years before the recommendations of the Public Services Commission are given effect to, and, meanwhile, I think it will be an act of bare justice to a hard-worked body of public servants that they should be put on an equality with their brethren in the other Provincial Services. If I am permitted to say so, I think that it is not only extremely fair, but extremely just, that they should get this initial salary, not from to-day, but with retrospective effect from the date on which the initial pay of Deputy Magistrates was raised. Government never waited for any report of any Public Services Commission or the recommendations of anybody when they raised the initial pay of the Deputy Magistrates from Rs. 200 to Rs. 250 on their own initiative and I ask, is it not unfair, is it not making rather an invidious distinction between the different members of the Provincial Services, when you give an initial salary of Rs. 250 to members of the executive branch and refuse that little concession to members of the Judicial Service? As it is, the public impression is that the members of the Judical Service do not receive adequate consideration at the hands of the executive Government, and for this reason, I think, this distinction should not be maintained. If Government think that the recommendations of the Public Services Commission could be given effect to without delay, of course it would be an act of bare justice to the Munsiffs to let this matter stand over so that Munsiffs might begin on Rs. 300 instead of Rs. 250. I think Government might temporarily accept my recommendation of fixing the initial salary at Rs. 250 now, instead of waiting for an indefinite

The Hon'ble MAULVI A. K. FAZL-UL-HAQ :—*concld.*

period in the hope of raising it to Rs. 300. With these few words I would press this Resolution to a division."

A division was then taken with the following result :—

Ayes.	*Noes.*
The Hon'ble Nawab Bahadur of Murshidabad.	The Hon'ble Mr. P. C. Lyon, C.S.I.
,, ,, Sir Rajendra Nath Mookerjee, K.C.I.E.	,, ,, Nawab Sir Syed Shams-ul-Huda K.C.I.E.
,, ,, Dr. Nilratan Sarkar.	,, ,, Mr. N. D. Beatson Bell, C.S.I., C.I.E.
,, ,, Mr. Provash Chunder Mitter.	,, ,, Surgeon-General W. R. Edwards, C.B., C.M.G.
,, ,, Maharajadhiraja Bahadur of Burdwan.	,, ,, Mr. J. Lang.
,, ,, Kumar Shib Shekhare-war Ray.	,, Mr. B. C. Mitra.
,, ,, Babu Brojendra Kishor Ray Chaudhuri.	,, ,, Mr. C. J. Stevenson-Moore, C.V.O.
,, ,, Mr. Arun Chandra Singha.	,, ,, Mr. J. H. Kerr, C.S.I., C.I.E.
,, ,, Dr. Deba Prasad Sarbadhikari, C.I.E.	,, ,, Mr. H. L. Stephenson, C.I.E.
,, ,, Rai Debender Chunder Ghose Bahadur.	,, ,, Mr. J. Donald.
,, ,, Rai Radha Charan Pal Bahadur.	,, ,, Mr. F. A. A. Cowley.
,, ,, Dr. Abdulla-al-Mamun Suhrawardy.	,, ,, Mr. W. W. Hornell.
,, ,, Maulvi Abul Kasem	,, ,, Mr. S. W. Goode.
,, ,, Maulvi A. K. Fazl-ul-Haq	,, ,, Mr. H. P. Duval.
,, ,, Mr. A. Rasul	,, ,, Rai Priya Nath Mukharji Bahadur
,, ,, Babu Bhabendra Chandra Ray.	,, ,, Mr. J. Mackenzie.
,, ,, Rai Sri Nath Ray Bahadur.	,, ,, Mr. G. C. Godfrey.
,, ,, Babu Akhil Chandra Datta.	,, ,, Raja Hrishikesh Laha C.I.E.
,, ,, Rai Mahendra Chandra Mitra Bahadur.	,, ,, Mr. R. Glen.
,, ,, Babu Surendra Nath Ray.	,, ,, Mr. F. W. Carter, C.I.E.
,, ,, Mr. K. B. Dutt.	,, ,, Sir A. Birkmyre, Kt.
,, ,, Babu Kishori Mohan Chaudhuri.	,, ,, Mr. E. B. Eden.
,, ,, Babu Ambika Charan Mazumdar.	,, ,, Mr. E. A. Martin.

The following Members were absent :—

The Hon'ble Mr. H. R. A. Irwin.
,, ,, Mr. M. Ashraf Ali Khan Chaudhuri.
,, ,, Babu Mahendra Nath Ray, C.I.E.

The following Members abstained from voting :—

The Hon'ble Mr. Aminur Rahman.
,, ,, Mr. Altaf Ali.

The Ayes being 23 and the Noes 23 the Hon'ble the Vice-President, presiding, gave his casting vote against the motion which was accordingly lost.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXIII.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ moved the following Resolution :—

This Council recommends to the Governor in Council that—

(*a*) a lump provision of rupees one lakh, or such other sum as may seem necessary, be made for raising the salaries of Clerks in Registration offices ; and

(*b*) the expenditure be met from the lump provision of rupees two lakhs provided for unforeseen requirements.

He said :—

"Sir, in this case at any rate, I do not think we need trouble ourselves about any Public Services Commission Report, because, as far as I remember, when this matter came before the Council last year on my motion, I was given to understand that Government accepted the principle embodied in this Resolution. The only question then was that of funds. I do not know, but as far as I could understand the reply of the Hon'ble Member in charge, the Government of India had sanctioned this scale of increment, perhaps conditionally. If that is so, I do not know if I can press this Resolution. If the scheme has already been sanctioned, subject to some conditions, I will not press it, but leave it to the Government to give effect to it as early as possible."

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA said :—

"The Secretary of State has given conditional sanction to this expenditure, that is to say, to give effect to it on the improvement of the financial position. We cannot go against this."

The Resolution was then, by leave of the Vice-President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXIV.

The following Resolution stood in the name of the Hon'ble DR. NILRATAN SARKAR :—

This Council recommends to the Governor in Council that—

(*a*) provision be made for an annual grant of Rs. 18,000 to the Bengal Home Industries Association for the purpose of helping Cottage Industries in Bengal ; and

(*b*) the expenditure be met out of the sum of Rs. 50,000 provided under the Head, "Lump Provision for Development of Industries"—"26B—Scientific and Miscellaneous Departments."

He said :—

"Sir, I ask your permission to withdraw this Resolution. In this connection I have to offer my best thanks to the Government for kindly making an adequate grant to the Home Industries Association."

The Resolution was then, by leave of the Vice-President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXV.

The Hon'ble DR. NILRATAN SARKAR moved the following Resolution :—

This Council recommends to the Governor in Council that—

(*a*) a recurring grant of Rs. 20,000 be provided for further strengthening the staff of the Department of Co-operative Societies by the appointment of a second Joint Registrar, four Inspectors with knowledge of weaving, one Inspector with knowledge of fishery work and one Inspector with knowledge of dairy work ; and

(*b*) the expenditure be met from the lump provision of Rs. 30,000 for the Director of Industries under the Head "26B—Scientific and Miscellaneous Departments."

He said :—

"Sir, in this Resolution it is my contention that the progress of the working of the department of co-operation is extremely slow, and that this slow rate is due to the inadequacy of the staff. In support of my contention I may quote only two authorities. Mr J. C. Jack of the Indian Civil Service, writing about Faridpur, says : that the present rate has not enabled 1-100 of the ground to be covered in 10 years, it will not be possible for the district to eliminate the professional money-lender in less than a thousand years. Again, Sir Daniel Hamilton says : at the present rate of progress, Bengal will not be covered with a fertilizing scheme of credit before the year 2200. Sir, up to this time, I may point out the movement has not touched the fringe of the industrial question. There are only 31 known Credit Societies, and all the rest are what we call the Credit Societies chiefly concerned with agricultural credit. But the question of the industries has presented itself in an urgent shape on account of the war. In this country, as well as other countries, we, as well as other people concerned in the welfare of the state, must try to tackle this question in the best way we can. After the war there is sure to be an industrial war, and we must make preparation for meeting industrial invasion from undesirable quarters, but is any industrial movement possible without an adequate development of the department of co-operation? As a case in point, I might mention the case of the Bengal Home Industries Association. The Association has been launched with the idea of promoting the cottage industries of Bengal, but the Association can make very little progress without the help of the department of co-operation. Such help has

The Hon'ble DR. NILRATAN SARKAR :—*concld.*

been promised by the department, but the department is helpless on account of being inadequately staffed. It is true that provision has been made in the Budget for an additional staff of four Inspectors, one Auditor and one Joint Registrar, but all this will be absorbed in the ordinary work of the Association, and if important industries like weaving, fisheries and dairy work are to be included in the programme of the Association, the staff must be substantially increased. My proposal, therefore, is to make a further addition to the staff of the department of co-operation in the way suggested by my proposal here. As regards the appointment of the second Registrar, I may point out that the Maclagan Committee had recommended that there should be one Registrar for every 1,000 Societies, and the number of Societies at the present moment in Bengal is 2,666, so we are entitled to have a third superior officer. I need not detain the Council further on this point. I wish only to bring to the notice of Government what fell from the lips of Sir Daniel Hamilton when he said, a pice lost to the department is a gold mohur lost to the people and another gold mohur lost to the Government, and to this I may add, that a pice added to the expenditure on the staff of the department would be a gold mohur added to the resources of the people and a gold mohur added to the income of the Government."

The Hon'ble BABU SURENDRA NATH RAY said :—

"Sir, I associate myself with what has been said by the mover of the Resolution, and I hope that it will be accepted."

The Hon'ble MR. BEATSON BELL said :—

"Mr. Vice-President, I shall deal with this Resolution in a very few words. It needs no words of mine to assure the House that we cordially support the co-operative movement and that we are prepared to do anything reasonable on its behalf. But the House may or may not know that the large question as to whether the Registrar and the supervising and inspecting staff should be officials or non-officials has not yet been decided. The Secretary of State has, as a purely temporary measure, sanctioned an official staff up to 31st March, 1918. Between now and that date, in other words, during the financial year which is before us, the Secretary of State will probably make up his mind as to the future of the supervising staff of the co-operative movement. That being so, it hardly behoves us to appoint a very large official staff during the last year of the experimental period. The question has been thoroughly investigated by the Committee of Sir Edward Maclagan. The report of this Committee will of course be the principal document which the Secretary of State will have before him when he passes final orders upon this important question. Meanwhile, Local Governments have been authorised to make such temporary arrangements on a moderate scale as are essential to cope with the current work of the co-operative movement. During the year 1916-17 which is just closing, we appointed four temporary additional Inspectors and during the year which is about to begin, we intend to appoint four more additional Inspectors. I think the House will agree that, in the special circumstances of the case, we are doing all that is reasonable. The Hon'ble Member, as I understand him, presses us to appoint experts for special subjects—experts for fishery, weaving, and so on. That is one of the questions which has been receiving our careful consideration and will no doubt receive the careful consideration of the Secretary of State when he comes to deal with the whole problem—I mean, the question whether it is better to appoint the supervising staff (be they officials or be they non-officials) area by area or subject by subject. Different people recommend different solutions. Personally, I think that, in the present state of organisation, it is better on the whole to appoint men area by area, good all-round men who will carry on all the co-operative work in the villages under their charge. That has generally been our policy; but we have departed from it

The Hon'ble MR. BEATSON BELL:—*concld.*

in one case and have appointed a special officer for the weaving industry. At present there are only 17 weaving societies. We have one officer for these 17 societies and it is certainly an adequate provision. On the whole, we are at present inclined towards the geographical distribution of our officers, but for all that we have a perfectly open mind. The Hon'ble Dr. Sarkar has quoted Major Jack. I admit that Major Jack is strongly in favour of a very large increase in the organizing staff of our Co-operative Societies. Major Jack has not, however, proposed that we should appoint specialists for special subjects. He has proposed that the appointments should be made geographically and that the officers should be recruited from the same class as the *kanungos* who carry out our survey and settlement operations. The opinion of Major Jack on this point is one of the very greatest weight. In short, I have only to say that the Government are giving, and will continue to give very careful consideration to the question of providing an adequate staff for the Co-operative Societies of the province; but we regret that we cannot accept the Resolution in the form in which it has been put forward by the Hon'ble Mover."

The Hon'ble DR. NILRATAN SARKAR said:—

"Sir, I had expected that a modest Resolution like this would have been accepted by the Government, particularly as the money would not be wanting. However, as it has been rejected, I think that I shall be justified in pressing this Resolution to a division. It is all very good to wait for the decision of the Secretary of State in certain matters and the decision of other Committees, and in the meantime, the psychological moment, the golden opportunity for developing the resources of our country and developing our home industries, will slip away. After the war, as everybody knows, we shall be swamped with goods from most undesirable quarters. This is not only the view of the poor Bengali in Bengal but I know that most of the people in the allied countries have made provisions for such swamping and are making provisions for meeting it in the best way they can. Commissions have been working in great numbers and preparations are being made for this purpose, and it is only a feeble attempt that is being made in order to put things in order here, and it is impossible to do anything without the help of the co-operative movement. However, I have nothing more to say and hope that the Council will accept this Resolution."

A division was then taken with the following result:—

Ayes.

The Hon'ble Dr. Nilratan Sarkar.
" " Mr. Aminur Rahman.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. Provash Chunder Mitter.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishor Ray Chaudhury.
" " Mr. Arun Chandra Singha.
" " Dr. Deba Prasad Sarbadhikary, C.I.E.
" " Rai Debender Chunder Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Maulvi Abul Kasem.
" " Maulvi A. K. Fazl-ul-Haq.
" " Mr. A. Rasul.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Rai Sri Nath Ray Bahadur.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Surendra Nath Ray.
" " Mr. K. B. Dutt.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Noes.

The Hon'ble Mr. P. C. Lyon, C.S.I.
" " Nawab Sir Syed Shams-ul Huda, K.C.I.E.
" " Mr. N. D. Beatson Bell, C.S.I., C.I.E.
" " Surgeon-General W. R. Edwards, C.B., C.M.G.
" " Mr. J. Lang.
" " Mr. B. C. Mitra.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Mr. H. L. Stephenson, C.I.E.
" " Mr. J. Donald.
" " Mr. F. A. A. Cowley.
" " Mr. W. W. Hornell.
" " Mr. S. W. Goode.
" " Mr. H. P. Duval.
" " Rai Priya Nath Mukharji Bahadur.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Mr. J. Mackenzie.
" " Mr. G. C. Godfrey.
" " Mr. R. Glen.
" " Mr. F. W. Carter, C.I.E.
" " Sir A. Birkmyre, Kt.
" " Mr. E. B. Eden.
" " Mr. E. A. Martin.

The following Members were absent :—

The Hon'ble Mr. H. R. A. Irwin.

" " Mr. M. Ashraf Ali Khan Chaudhuri.

" " Babu Mahendra Nath Ray, C.I.E.

The following Members abstained from voting :—

The Hon'ble Nawab Bahadur of Murshidabad.

" " Maharajadhiraja Bahadur of Burdwan.

The Ayes being 23 and the Noes 23, the Hon'ble the Vice-President, presiding, gave his casting vote against the motion which was accordingly lost.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXVI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ moved the following Resolution :—

This Council recommends to the Governor in Council that—

(*a*) a lump provision of Rs. 25,000 be made for the improvement of the Civil Court buildings at Pirozpur (Bakarganj); and

(*b*) this expenditure be met from the provision of Rs. 65,000 made for experiments for potatoes, bonemeal, etc., and for purchase of special varieties of paddy seeds, which projects may either be abandoned for the year or taken up on a reduced scale.

He said :—

"Sir, I do not know if I have caused a surprise in this Council, both by reason of the recommendations made in the first portion of the Resolution and also the suggestion which I have made as to the source from which the expenditure should be met! The Civil Court buildings at Pirozpur have got a history of their own. It may not be known to Hon'ble Members that, unlike very few other buildings of this kind, the Pirozpur Civil Courts are held in houses with corrugated roofs, and it is on record that a certain Munsiff, after sitting a couple of hours, complained of a severe headache and had to leave work, and on the next day, after a few hours, he fell down senseless from his chair and was carried home and afterwards died of heat apoplexy. Pirozpur is a very unhealthy station and the Munsiffs have got to work during the hot season in a building of that insanitary character. I believe that the High Court has made it a rule that the Munsiffs have to stay for two years only at Pirozpur, whereas, they have to stay for three years in other places. This question was brought up by me year before last, and I also spoke privately to Mr. Green when I met him in Darjeeling, and I explained the whole question, and he was good enough to say that he had considered the matter, and to all intents and purposes, it had been settled that the improvement of the buildings would be taken in hand within a very short time. Nothing has been done since then and I was also surprised to find that no provision for the improvement of these buildings has been made in this year's Budget. It is a matter of the most urgent necessity, and I think Government would do well to consider whether Rs. 65,000 should be set apart for the useless experiment of potatoes or for giving relief, if not by increment of salary, at least by sanitary housing, to a very useful class of public servants. As regards this experiment of potatoes, I referred to it last year.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ :—*concld.*

I do not know what other Members think of it, but so far as my experience goes, nothing substantial has been done towards developing potatoes in this country. I do not know also what the department of Agriculture does, but so far as I am concerned, I have never met any officer of this department doing any substantial work in any part of this country. The experiment of potatoes may stand over for some time and meanwhile the money may be set apart for the improvement of these buildings. If Government think that something should be done in this direction, my recommendation is that a sum of Rs. 25,000 at the outset will only be required for the improvement of the Civil Court building at Pirozpur and the rest may be spent on potatoes. With these few words I beg to commend my Resolution to the acceptance of the Council."

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA said :—

"Mr. Vice-President, I am prepared to admit that this project of the Munsiff's buildings at Pirozpur is one of importance but there are various other projects of the same kind which are perhaps much more urgent. We have plans and estimates of a double Munsifi at Pirozpur which would cost about Rs. 88,000, and perhaps, on account of the increase in prices, this estimate would be exceeded now. We have drawn up a list of the urgent projects and have submitted them to the High Court and asked their opinion as regards the relative urgency of these various schemes. We could not take up these under the present conditions, but we have made this reference to the High Court, so that, when we are able to carry out these schemes, there may be no delay on account of the High Court's advice being needed. But so far as this year's Budget is concerned, we have no money to carry out the schemes for Civil Court buildings in Bengal, and therefore I am not in a position to accept the Resolution.

"As regards the Agricultural department, I understand that the expenditure has been cut down to the very minimum, but this is a matter on which my Hon'ble colleague, Mr. Beatson Bell, is in a better position to speak."

The Hon'ble MR. BEATSON BELL said :—

"Mr. Vice-President, I have only to add a few words to what the Hon'ble Nawab Sahib has already said. I am in a position to say something on this subject as I have frequently seen these buildings at Pirozpur. In fact, I think I was in the district when they were constructed. It is true that they have tin roofs, but they have also got masonry plinths and below the tin roof there is an under roof, designed to mitigate the heat. The buildings are exactly of the same type as hundreds of schools and colleges and thousands of private residences in the Province. It is not a type of building which I like, but I cannot see why the Civil Court buildings at Pirozpur should be considered before all the other buildings of the same type, both public and private.

"I am more immediately concerned, however, with the Agricultural department and with the experiments which it is making. The grant which we have allotted for experiments, is, I venture to say, on a very modest scale and cannot possibly be reduced. We are not dealing with potatoes on a large scale, but we are encouraging people, specially in areas visited by floods and drought, to grow potatoes as a cold weather crop, which will carry them on where the paddy harvest has failed. I am satisfied that, by our encouragement of potatoes in those areas, we have mitigated the sufferings, perhaps saved the lives, of many poor families. Similarly, in regard to bonemeal, we have been doing most useful work. There are demonstrators all over the

The Hon'ble MR. BEATSON BELL :—*concld.*

country even if my Hon'ble friend has not happened to meet them. They are helping people to obtain bonemeal and are teaching them how to use it. The results have been most encouraging and we mean to go on with the good work. Above all, what I object to is that there should be any reduction in our experiments in regard to rice seed or jute seed. The work that is now being done upon these two crops at the Dacca farm is work of the very highest importance. Mr. Hector is in charge of rice, Mr. Finlow in charge of jute. After years of patient experiment they have selected single plants which are markedly superior to other plants. They have taken the seed of these single plants and have gradually reproduced it year by year.

"We have now got this superior seed in commercial quantities and we are giving it out to the raiyats in suitable places throughout the Province. The results which we expect will be of the greatest importance to the agricultural prosperity of Bengal. It would be a thousand pities if, just when we have reached this practical stage, we have to relax our energy and cease to place this good seed within the reach of the raiyats. I, therefore, associate myself fully with the Hon'ble Nawab in deprecating any reduction in the moderate allotment which we have made for continuing our agricultural experiments and demonstrating their usefulness to the masses of the people."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"Sir, the question of housing Munsiffs in comfortable buildings is more for the Government to consider than for me to say anything about it, and I do not wish to enter into any controversy as to the utility or otherwise of the department of Agriculture. But, I think, the Hon'ble Member who spoke first on this Resolution on behalf of Government admitted that the houses in which the Civil Courts are now held are not quite satisfactory and that some improvement ought to be made in them. I should only add this before I resume my seat, that when I looked at the lavish amount proposed to be spent on Police buildings, I thought that the question of housing these Munsiffs in comfortable buildings was at least of equal importance as that of housing Sub-Inspectors and Head-constables of Police. If the latter can claim twelve lakhs odd from Government for the improvement of their buildings, I think that the Munsiffs who have got at least equally important duties to perform, may expect a little share of the Government's grants. So far as the importance of the buildings for the Munsiffs is concerned, I would ask Government to take it up at an early date. With these few words, I would leave it to the Government to consider this resolution."

The Resolution was then, by leave of the Vice-President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXVII.

The Hon'ble DR. NILRATAN SARKAR moved the following Resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 60,000 non-recurring, and Rs. 10,000 recurring, be allotted for making arrangements in the Presidency College for teaching Zoology, by providing accommodation and equipment for Theoretical as well as Practical teaching of the subject, and by appointing one Professor and two Demonstrators ; and

(*b*) the non-recurring expenditure of Rs. 60,000 be met out of the provision of Rs. 12,00,000 for Police buildings under Head

The Hon'ble DR. NILRATAN SARKAR—*contd.*

"Civil Works in charge of Public Works Department"; and the recurring expenditure of Rs. 10,000 be met out of the Rs. 2,00,000 provided as General Reserve for unforeseen requirements under Head "32—Miscellaneous."

He said :—

"Sir, it is not true that our age is the age of mechanism, or our science the science of matter and motion. The science of life has given us the great dominating concepts which to-day vitalise our literature, our philosophy, our religion, our social ideals and our ethical values. Our thoughts no longer run in mechanical grooves along lines of force. And the ideas of conservation and correlation of Energy have been displaced in literature as in life in the speculations of the philosopher as in the projects of the Social Legist or Eugenist by the concepts of hereditary and variation, of environment and habit, of regration and atavism, of natural selection and segregation.

And this had made itself felt in the educational world of to-day. The elementary education programme of the present age has demanded the introduction in our school curriculum of the story of life; and the natural classes and genera and species of plant and animal forms are now furnishing an ample scope for that training in sense observation which is a *sine quâ non* of education in its earlier stages. Further, the demand for a sound and broad based culture, of which the study of Life forms the consummation, has led to the rapid extension of biological studies in the world's Universities. And all the Indian Universities but one have provided for the teaching of Zoology as well as Botany as liberal scientific studies. The one defaulter is the University of Calcutta, a city which boasts of what is perhaps the finest and biggest zoological collection in the world! Botany we have long recognised and our botanical gardens therefore are free from the reproach of the barren zoological sister. But the scientific value of Zoology for the study of problems of Life and Evolution is greater than that of Botany. In any case the omission of Zoology leaves an anomaly—indeed an anachronism—on our hands. Our Physiology and our Botany for the B. A. and B. Sc. degrees are dissociated from Zoology but are allowed to keep company with Mathematics or Physics. Physiology and Botany accordingly are not studied in the light of Biological Science as a whole but are taken as sectional and isolated sciences, and therefore shorn of much of their cultural scientific value. And the prevailing ignorance of biological facts and theories has had a curious effect on our Psychological and sociological studies, including our economic science and our political philosophy. These have tended to become doctrinaire and hypothetical, abstract and jejune, because our youths have the haziest notions of the factors, conditions and limits of growth and evolution. Again we have introduced Comparative Psychology and Animal Psychology as post-graduate studies, but without a preliminary knowledge of Comparative Zoology the student will not profit much by this teaching. Some of the existing courses, therefore, must be supplemented by Zoology, if they are to be stimulating and healthy, or if they are to be other than mechanical and empirical.

So far I have confined myself to the requirements of mental discipline and liberal education. But the scientific study of Zoology has also an important bearing on the cultivation of the economic resources of the country. To mention only a few important industries, pisciculture, cattle-breeding, forestry, sericulture, apiculture, etc., call for the services of trained Zoologist specialists and the report of the Public Services Commission notices the dearth of Indians having competent Zoological knowledge and training. It is highly desirable that Bengalees should receive sufficient training in their country to

Dr. Nilratan Sarkar ; Mr. Provash Chunder Mitter ; Dr. Deba Prasad Sarbadhikari.

The Hon'ble DR. NILRATAN SARKAR—*concld.*

take advantage of the industrial openings provided by the natural resources of the fauna of India.

Nor need any apprehension be entertained that the provision of teaching in Zoology will entail any heavy expenditure. It will mean only the opening of a new section in the Science Department of the Presidency College. For two or three dozen students, which is all that one can expect for the I. A. or I. Sc. and the B. A. or B. Sc. courses, we require a staff of one Professor, preferably a man who has taken the Natural Science Tripos at Cambridge, and two Demonstrators. We require also new Laboratory rooms equipped for practical work. I have estimated the initial outlay at Rs. 60,000 and recurring charges at about Rs. 10,000 a year. This small expenditure will help in tapping new resources in the country, and repay itself a hundred-fold in its cultural value and reaction. Such large ends, cultural as well as utilitarian, speculative as well as practical, I fondly hope will not fail to touch a sympathetic chord in this Council."

The Hon'ble MR. PROVASH CHUNDER MITTER said :—

"Sir, in saying a few words in support of this Resolution, I note that the question is for the present more or less of academic interest. I know that it will not be possible to provide funds out of the Heads mentioned in this Resolution. But I am one of those who believe in the scientific study of Zoology and specially at the present moment it is of great importance for us in Bengal. I have got a little book, a very valuable book, 'Nichol on Fisheries in Japan', and I see what Japan has done in that department, *namely*, that Japan has added to her national wealth by the scientific *culture* of her fisheries, and it is impossible to develop fisheries more properly unless you have some grounding at any rate of scientific education in Zoology. Therefore, on the question of principle, I think that we should have an institution where young men can obtain the necessary theoretical instruction in Zoology and I hope that Government will try to introduce the study of this branch of study as soon as funds permit."

The Hon'ble DR. DEBA PRASAD SARBADHIKARI said :—

"One great reason why I should like to support this Resolution is this : that unless in the elementary stage, in the I. A. or I. Sc. or B. Sc. classes in Colleges such teaching in Zoology is provided, the higher teaching that is provided under Sir Tarak Palit Trust would be absolutely impossible. To take up advanced Zoology, students should have an earlier elementary training in Colleges. Of course, so far the Indian Museum has been good enough to provide such teaching as was necessary for one or two M.A. students in Zoology. But these students have done so thoroughly badly in the examination that it has become absolutely clear to us, who have run the thing, that without proper training in the earlier days it is absolutely hopeless for a man to go up to the M. Sc. examination in this subject. Of course, the University can never and does not like to suggest to the Colleges as to what course they should take up. It is our duty on the contrary to try to keep them to as few subjects as possible. It strikes every one that in the Presidency College which has already got a physiological laboratory, it may not be found difficult to arrange for such a teaching in conjunction with the authorities of the Zoological Gardens and the Indian Museum. So it strikes me that if money can be found, it would not be so difficult to arrange for the teaching of this subject as in the case of other branches of learning, as portion of the time of the staff of the Indian Museum can be devoted to encourage teaching on this subject. For this reason I beg to support the Resolution."

The HON'BLE MR. HORNELL said :—

"Mr. Vice-President, I should like to say at once that I entirely endorse what has been said about the desirability of teaching Zoology in Calcutta. Indeed it seems rather strange that this subject should have been omitted. As the Hon'ble Mover has pointed out, we have a fine Zoological Garden here and we have also in Calcutta the head-quarters of a very energetic Zoological Survey. So far as the resolution goes, I need merely point out that Government have already expressed their inability to reduce the grant for Police buildings, and I am quite sure that at this hour the House would not wish me to discuss that question over again.

As regards the general reserve, I understand from those in charge of finances that it is quite impossible to reduce the sum of 2 lakhs which is considered to be the minimum on which the administration can proceed. There are further reasons why it would be impossible for Government to say here and now that they would do anything this year. The proposal is to me at least a new one. I have asked the Principal of the Presidency College whether he knows of any such proposal and his reply is in the negative. Of course even supposing we had the money we should have to consider a good many things before we could begin work. We have first of all to decide what arrangements would be suitable; we have then to submit them to the University and we have finally to get the University's recommendations agreed to by the Government of India. All I say is that I regard the suggested provision as one which should be made and I propose to refer the whole matter to the governing body of the Presidency College. The Governing Body will be asked to take the matter into consideration at once and make definite suggestions. I hope that this will be sufficient for the mover of the resolution. Of course he must realise existing financial condition being what they are that this is not a pledge to start the instruction this year or next year. All I can say is that the matter will be considered and if it can persuade the Local Government that it is desirable provision will be made as soon as possible."

The Hon'ble DR. NILRATAN SARKAR said :—

"Sir, I have faith in the Hon'ble the Director of Public Instruction and I ask your permission to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXVIII.

The following resolution stood in the name of the Hon'ble MR. A. RASUL :—

> This Council recommends to the Governor in Council that the duty allowance of the Principal, Presidency College, and local allowances of the Dean and Bursar of the said institution be suspended till finances improve, and the sum of Rs. 7,800 set apart for the purpose be allotted as grants for furniture for aided secondary schools.

He said :—

"My resolution was about suspending the duty allowance of the Principal of the Presidency College and the local allowances of the Dean and Bursar of the same institution and spending that amount on purchasing furniture for aided secondary schools; but I am assured by the Hon'ble Mr. Hornell that Rs. 11,000 has been set apart for the same purpose. I beg to withdraw the resolution."

The resolution was then, by leave of the Vice-President, withdrawn.

Maharajadhiraja Bahadur of Burdwan ; The Vice-President ; Babu Bhabendra Chandra Ray.

The Hon'ble the MAHARAJADHIRAJA BAHADUR OF BURDWAN said :—

"May I rise to a point of order ? There were several resolutions which suggested the transfer of the Police grant to some other purpose, but the Council threw out those suggestions. The resolution about to be moved now also makes the same suggestion, and as the Council threw out previous suggestions of the same nature, is this resolution in order ?"

The Hon'ble the VICE-PRESIDENT said :—

"I cannot rule the resolution out of order. It is a positive request for the expenditure of a certain sum of money for a certain purpose. I believe the intention of the Hon'ble Member is to ventilate a particular subject and I believe that the general opinion of the House approves the policy that has been adopted allowing some latitude to members in inviting the attention of Government to such requests.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXIX.

The Hon'ble BABU BHABENDRA CHANDRA RAY moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) the amount estimated under the expenditure head "Civil Works in charge of Civil Officers" as representing the Augmentation Grant to District Boards for 1917-18, viz., Rs. 4,30,000 be increased by Rs. 3,20,000 ; and

(*b*) the latter sum be provided for by a corresponding reduction in the amount of Rs. 12,00,000 for Police Buildings.

He said :—

"Sir,—If any figure in the financial statement has puzzled me more than any other, it is the amount of 4 lakhs 30 thousand which has been shown under the head 'Civil Works in charge of Civil Department', as Augmentation Grant. The augmentation grant was first instituted by the Government of India in 1905 for the benefit of the District Boards, and is expected to represent about one-fourth of their actual receipts from land cess annually. When the grant was inaugurated, the District Boards in Bengal used to enjoy the road cess revenue only, which represented half the total land cess ; but the local bodies of some other provinces were more fortunate at that time, in that the entire land cess used to be credited to them. So, when the augmentation grant came to be sanctioned, it was calculated at one-fourth of the road cess receipts so far as the local bodies in Bengal were concerned ; whilst in regard to some other provinces it was calculated upon the entire land cess which was appropriated by the local bodies there. From 1905 to 1912, this Imperial grant continued to be calculated and disbursed by the respective Local Governments, at the rates fixed, and debited to Imperial funds. In 1913, the public works cess was surrendered in favour of the local bodies of Bengal, by the Imperial Government which made a fixed assignment of Rs. 21 lakhs 93 thousand to the Local Government as compensation for this loss of revenue to the provincial funds. The local bodies in Bengal are therefore enjoying the entire land cess since 1913-14. And the augmentation grant, according to the avowed principle of allotment, should now be doubled, being calculated at ¼ of the total land cess now administered by our local bodies. But, my Lord, far from this being the case, it is a matter of common experience with the Boards, that the augmentation grant has been decreasing since 1913-14—a phenomenon to which my attention was drawn by the local bodies which I have the honour to represent.

The Hon'ble BABU BHABENDRA CHANDRA RAY—*contd.*

"I asked several questions in this Council directly or indirectly bearing upon this point, and have been favoured with replies characterised by varying degrees of vagueness, which have on the whole successfully parried the questions raised. On the 13th December, 1916, when I asked for papers relating to the augmentation grant and the surrender of the public works cess, I was met with a flat refusal. Then came the last Government Resolution on the working of the District Boards, which stated that a windfall of Rs. 1 lakh 35 thousand and odd in the shape of unallotted surplus of the augmentation grant for 1913-14 was available only last year. There appeared to be an air of mystery about the matter; and my suspicion was strengthened that there was some leakage somewhere to account for the depletion of the augmentation grant. The Hon'ble Mr. Donald sought to explain the so-called windfall by stating that there was a mistake in calculation in 1913-14. I must confess, Sir, that I remain unconvinced that Hon'ble Mr. Donald's department can ever blunder over simple arithmetic. However that may be, I followed up the subject with a few more questions. And on the 5th March last, in reply to starred question No. 13, the Hon'ble Mr. Donald was pleased to explain the new process of computation of the augmentation grant. In the words of the Hon'ble Mr. Donald, the amount of augmentation grant is fixed at 25 per cent. of net receipts from road cess, less the amount by which the net public work cess exceeds Rs. 29 lakhs 42 thousand. 'This latter sum,' the Financial Secretary was further pleased to explain, 'is made up of the Imperial assignment to Provincial Revenues as compensation for the loss of the public works cess and the amount of the equilibrium grant that was resumed when the public works cess was made over to District Boards.' Therefore, Sir, it comes to this, that although the Government of India made the fixed assignment of Rs. 24 lakhs 93 thousand to this Government, admittedly in compensation for the surrender of the public works cess to the local bodies, Government are not content with this assignment but must have the exact equivalent of the actual amount of the public works cess every year. And to satisfy this rapacious craving of the Financial Department, the District Boards must yield up their legitimate revenues.

We cannot, it is true, charm the dark recesses of the Financial Secretariat out of the secrets they hold. But fortunately for us, there are some official statements here and there which throw a glimmer of light on the point at issue. Turning to the Budget Speech of Sir Edward (then Hon'ble Mr.) Baker as the Finance Member of the Government of India in March 1905, we find that the Imperial Government for the first time in that year made provision for annual 'grants-in-aid of the funds of all districts and Local Boards in India equal approximately to 25 per cent. of their total revenue from cesses on land.' And the Hon'ble Mr. Gokhale acclaimed it as one of the most interesting features of the Budget, representing a frank acknowledgment of the claim of local bodies to participate in the financial prosperity of the Government of India. A few years later, the Decentralisation Commission in their report suggested that this Imperial grant should be increased, and that the entire net proceeds of the land cess of those provinces where Government used, at that time, to take a considerable portion of the same, should be made over to the Boards. Three years after the publication of this report, we find Mr. Gokhale, in March 1912, moving a resolution in the Imperial Council about the resources of the local bodies in which he put in a vigorous plea for a juster treatment of the claims of these bodies upon Government revenue. Although the resolution was negatived by a majority, Sir Guy Fleetwood Wilson made it clear that Government were in accord with the object of the resolution. As a sequel

The Hon'ble BABU BHABENDRA CHANDRA RAY—*continued.*

to this, the next Imperial Budget—which was the first budget presented at Delhi,—made the important provision for surrendering to the local bodies such portion of the land cess as used to be appropriated by some of the Provincial Governments. In explaining the arrangement, Sir Guy stated thus :—

'We propose to make assignments to Local Governments to enable them to forego the amounts which at present are appropriated for Provincial use from the cess on land . . . . . The development and encouragement of Local Self-Government is indeed an object as to the desirability of which all are agreed, and it is with this object in view that we desire to increase their resources by abolishing the appropriations which I have mentioned. The consequence, however, of this abolition will be a loss to Provincial Revenues which Local Governments cannot themselves sustain ; and I therefore will make them assignments.'

Sir Guy then proceeded to state that the Local Governments would resume certain grants of a general nature which they provided out of their own funds—the augmentation grant not obviously being one of that character.

In Bengal, however, there does not appear to have been a correct appreciation of the terms of this act of Imperial beneficence to the local bodies. Sir William Duke, in introducing the Bengal Financial Statement for 1913-14, expressed his belief that the 'amount of the augmentation grant will be gradually reduced as the natural growth of the public works cess overtakes the total received.'

Sir, this statement of Sir William's reveals an amazing misapprehension of the nature of the augmentation grant which was not affected by the surrender of the public works cess in any manner whatsoever. Following Sir William, other officials have interpreted this generous grant made by the Imperial Government in an ungenerous spirit.

Sir, I shall be glad to be told that I have not been able to read these official pronouncements in their true light. For, to me, it is not a comforting thought that Government have deliberately shut their eyes to the true nature of the obligation laid upon them with regard to the distribution of the augmentation grant which they hold in trust for the local bodies. It is, indeed, a distressing thought that in this particular matter, the Government of Bengal have been dealing with the local bodies in a manner, which, had it been a matter between private individuals, would have justified an action for breach of trust. I hope the Hon'ble Mr. Donald will be able to satisfy us that his novel formula for the calculation of the augmentation grant is the result of some understanding with the Government of India of which we know nothing as yet.

But I have already said that from all we have read upon the subject, we have been led to believe that the public works cess, with all its possibilities of expansion or otherwise, has been made over to the coffers of the District Boards, and the Provincial Government have been given in exchange an assignment amounting to Rs. 24 lakhs 93 thousand, and have been further empowered to resume certain grants which the Boards used to receive from the Provincial revenues, and which we are told represent Rs. 4 lakhs 49 thousand. But the ingenious device adopted by this Government for indirectly appropriating the public works cess itself, if carried to its logical consequence, may some day eat up the entire augmentation grant ; for, according to the process of curtailment spoken of by the Financial Secretary, if the actual public works cess in any year exceeds Rs. 29 lakhs 42 thousand by more than the amount of the augmentation grant, the

The Hon'ble BABU BHABENDRA CHANDRA RAY—*concluded.*

grant itself will disappear so far as the Boards are concerned, although the amount of the grant will continue to be debited to the Imperial revenues.

Sir, Government should not persist in their present policy with regard to the augmentation grant, which, to say the least of it, is indefensible in principle, illogical, and unjust alike to the Imperial Government and the local bodies.

The amount provided for in the Budget as Augmentation Grant is Rs. 4 lakhs 30 thousand, which is much less than 25 per cent. of the road cess. If we take the latest available figure for road cess, which is 30 lakhs 28 thousand and odd, for 1916-17, the augmentation grant should be roughly Rs. 7 lakhs and 50 thousand.

I therefore move that the amount of augmentation grant as budgetted for be increased by Rs. 3 lakhs and 20 thousand. I do not care from what funds Government pay this sum. But, as according to the rules, we have to specify a counterbalancing reduction somewhere, I propose that the deficit be met from out of the budget for Police buildings.

Sir, I tremble to speak of that august institution—the Police—in a spirit which might smack of irreverence, but I shall ask you to consider whether now is a propitious time for investing so much in bricks and mortar. I shall ask you also to remember that in the words of the late Gopal Krishna Gokhale, the work of the local bodies 'concerns the health and comfort of the public far more intimately than that of either the Supreme or the Provincial Governments.' And in this view, no retrenchment ought to be grudged in order that a glaring injustice to these useful institutions may be removed and a just liability discharged.

Sir, from the statement made in answer to my starred question No. 13 on the 5th March last, it appears that during the last three years, Government have made deductions—systematic, unauthorised deductions—from the augmentation grant aggregating about Rs. 5 lakhs 20 thousand. I had a mind to move a separate resolution asking for a refund of this amount. But so far as those past deductions are concerned, I shall be content to leave the matter to the Hon'ble Nawab's discretion for the present. If once the principle I am contending for in this resolution is conceded, the claim about these unjust appropriations in the past becomes irresistible."

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA said :—

"Mr. Vice-President, I am glad to be able to accept this resolution though not unconditionally. At the same time, it must not be supposed that I at all accept the view of the situation that has been pictured by the Hon'ble Mover of this resolution. He has characterised the attitude of the Financial Department as 'rapacious' and he has said that the District Boards have been kept out of their legitimate dues unjustly by Government. I do not think that any question of justice arises in this case; it is a question purely of the generosity of Government. After the assignment of the public works cess to the District Boards I think Government would have been quite justified in telling Boards that they must manage their business with their own funds without expecting any augmentation from Government; but instead of doing that all that we have done is this: we have calculated the augmentation grant on the basis of the road cess being Rs 29,12,000, that is, the figure at which it stood when the public works was assigned to the Boards and we have deducted from the grant—as already explained on a previous occasion—the increase that has since taken place in the public works cess which is a growing revenue and as a compensation for which we only get from the Government of India a fixed assignment. Therefore, as I said just now, this

Babu Bhabendra Chandra Ray; Babu Kishori Mohan Chaudhuri, the Hon'ble the Vice-President.

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA—*concluded.*

Government was quite justified in making the deduction and in looking forward to the gradual disappearance of the augmentation grant when the whole of the amount was represented by the increase in the public works cess itself. Government, however, had no desire to withhold its generosity from the District Boards. As I have said before, the augmentation grant was purely an act of generosity. Long before the Hon'ble Mover had made it his special subject in this Council, we looked into this matter and we have been considering whether we could not be more generous with the District Boards and we have been in correspondence on this subject with the Government of India. We have recently decided to continue the full grant for the future; and it is for this reason that I have told my friend, the Hon'ble Mover, that I am prepared to accept his resolution—but I cannot do so unconditionally for this reason that we have not provided for this money in our present budget and we cannot give it from the source from which he would like to find this money, *viz.*, grant for police buildings. What we intend to do is this: we shall try to find the money this year and if we cannot do so, next year the whole of this money will be given to the District Boards. I think this will satisfy the Hon'ble Member that the conduct of Government in this matter has not only been just but that Government have been generous to the District Boards. There is no question of rapaciousness to complain of."

The Hon'ble BABU BHABENDRA CHANDRA RAY said :—

"Sir, I thank the Hon'ble Member for so kindly accepting my resolution though conditionally. If there is no difficulty in the way I would withdraw my resolution."

The resolution was then, by leave of the Vice-President, withdrawn.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"Sir, may I be permitted to deal with Resolutions XXX and XXXII together, because they relate practically to the same matter?"

The Hon'ble the VICE-PRESIDENT said :—

"It will be of some practical benefit to discuss these two resolutions together; but they will be put to the vote separately. I think, however, that it would be better if we discussed resolution No. XXXI first and then took up XXX and XXXII. I now call upon the Hon'ble Member to move Resolution No. XXXI."

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXXI.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) Rupees 50,000 be set apart for creating a few scholarships and for affording facilities for acquiring higher knowledge in Forestry, Mining and Railway Engineering, and for apprenticeship in suitable commercial concerns for higher branches of commercial training; and

(*b*) this sum be met from the lump grant of Rs. 8,20,000 under head 22—Education.

He said :—

"Sir, I do not wish to take a long time. We have been trying to impress upon Government that more avenues of employment for the *bhadralok* class, both Hindus and Muhammadans, and suitable arrangements for imparting

Mr. Hornell.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI—*concluded.*

technical instructions are absolutely necessary. In this resolution I only suggest that a few scholarships be created and arrangements made for affording facilities for imparting higher knowledge in some of the commercial subjects; I mean by arranging for apprenticeships in commercial concerns, and making necessary grants to the students after the completion of their education, so that they may be able to carry their knowledge into practice. I think there is no difference of opinion that something should be done in this direction. As there is a growing demand and the so-called middle classes are in great difficulty for want of avenues of employment, a beginning at least may be made by creating a few scholarships and arranging for imparting higher knowledge in mining and other things. We have now a polytechnic institute—a gift of the Hon'ble Maharaja of Cossimbazar. With these few words I beg to commend my resolution to the acceptance of the Council."

The Hon'ble MR. HORNELL said :—

"Mr. Vice-President, the lump provision from which the Hon'ble Member proposes to meet this expenditure, is, as I explained yesterday, a part of a recurring allotment sanctioned by the Government of India some years ago under various heads. The recurring assignment originally was Rs. 13,20,000, but of this sum 5 *lakhs* represent a recurring grant towards the Dacca University. This provision has been curtailed in the budget estimates for next year, consequently the assignment is now Rs. 8,25,000. This was distributed by the Government of India under various heads, only Rs. 37,000 being assigned for technical and industrial education. The suggestion of the Hon'ble Member is financially wholly impossible. It is impossible, because the assignments made under various heads have all been distributed and are now being spent, and it is also impossible, because this Government cannot divert the provisions made by the Imperial Government for certain heads to certain other heads. I am quite able to understand the point of view of Hon'ble Members who think that too much is being spent on police buildings and who want more to be spent on education, but I am unable to understand what is gained by suggesting that certain recurring grants sanctioned years ago which are all assigned and are being used, should be diverted to purposes which are not covered by the original assignment and which could not be financed from these grants without the secondary and elementary and other branches of education which are now being financed out of these funds being discontinued.

Taking the resolution as it stands, I only wish to suggest one thing. The Hon'ble Member has said that the question of more openings for the *bhadralok* class is one of importance. We all recognise that importance; but I do not quite understand why he should ask in this humble way for a few scholarships, as if a technical scholarship was something hitherto unheard of. If he would refer to the Education Department Budget he would find that we have provided for scholarships as follows :—

1. Engineering scholarships.
2. Mining scholarships (ordinary),
3. Ditto (special).
4. Scholarships for apprentices in the Civil Engineering College,
5. Ditto in the School of Art,
6. Ditto in the Engineering and Surveying schools,
7. Stipends and scholarships in Technical and Industrial schools, and
8. Scholarships in other special schools.

He can scarcely be unaware that the Government of India have for years being giving technical scholarships which are tenable in England nor can he be unaware of certain experiments which this Government have made, notably

The Hon'ble MR. HORNELL—*concluded.*

the opening of a Tinctorial Chemistry class at Sibpur. The class was exceedingly well equipped, but it has had to be closed because no students were forthcoming. Is the Hon'ble Member also unaware that there are technical scholars who have been to England and who have done very well there, but who are now absolutely unable to find any employment.

With reference to apprenticeships in commercial institutes, I may say that we have a Commercial Institute in Calcutta. I do not know what my friend means by 'apprenticeships in commercial firms.' In commercial firms in England, most people begin by entering a firm on, say, £20 a year and doing the work of a combined duftry and peon.

Government is fully aware of the importance of the matter to which the Hon'ble Member has drawn attention; but I do demur to the suggestion that a few scholarships might be given as if nothing had been or was being done."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"Sir, in reply I beg to say that I do not understand why my resolution cannot be accepted. I did not ask for a large sum from Government. I am aware of what arrangements have already been made, but I say that something more should be done and the arrangements for the commercial classes in Calcutta do not seem to me to be satisfactory. If the present arrangements do not impart higher knowledge in commercial enterprises, I would ask that something more might be done."

The Hon'ble MR. HORNELL said :—

"I wish to clear up this point. The Calcutta Commercial classes provide even instruction in higher branches of commerce, but the difficulty is that nobody goes to them."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"Sir, I am glad to hear that there are such arrangements in the Calcutta Commercial classes; but I am sorry to learn that no advantage is taken of them by the *bhadralok* class. There seems to be no doubt that the *bhadralok* class is in difficulty in regard to employment. More avenues of employment are therefore necessary for them. Why the advantage offered to them is not availed of is, however, a mystery to me. I am glad that Government are anxious to do all that is necessary in this matter, and I would leave my resolution to Government to deal with it in any way they think proper."

The resolution was then, by leave of the Vice-President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEMS Nos. XXX AND XXXII.

XXX.—The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 15,000 be set apart for appointing experimentally a few special educational supervisors for careful and sympathetic supervision over students in selected Government institutions, whether living in hostels or messes or with their guardians; and

(*b*) this expenditure be met from the lump provision of Rs. 9,25,000 under head 22—Education.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI—*concluded.*

XXXII.—He also moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 10,000 be set apart for appointing experimentally a few instructors for imparting moral and religious training on national lines to students, both Hindus and Muhammadans, in selected hostels under Government management ; and

(*b*) this expenditure be met from the lump provision of Rs. 9,25,000 under head 22—Education.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"I am proposing only a tentative measure in these two resolutions. Formation of character is an important subject and we are all deeply interested in it and arrangements should be made for our boys in hostels for the formation of their character. Although guardians and parents hope that this should be done, the hostel superintendent cannot always do it. And although some teachers and professors have to look after the hostels, boys are practically left to themselves. Formation of character requires certain supervision and so long as the boys are at home the guardians do as much as they can in this direction, but there are no adequate arrangements in the hostels for the growth of a spirit of self-respect. If boys of tender age are left to themselves, they may go wrong. It is for this that I am advocating these tentative measures."

The Hon'ble the VICE-PRESIDENT said :—

"The Hon'ble Member has asked that his resolutions Nos. XXX and XXXII may be taken together. The Hon'ble Member is speaking exclusively on his resolution No. XXXII and I do not know whether he wishes to speak on XXX."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"Yes, Sir, I shall also speak on resolution No. XXX. As I was saying the boys should not be left to themselves. Some arrangements should be made so that they may be watched constantly. In what way they deal with their fellow-students, in what way they live—all these things should be looked into.

As regards religious training, there is a difficulty. Of course I was glad to hear from the Hon'ble the Vice-Chancellor that in a Calcutta hostel arrangements are going to be made for a prayer hall. I hope that similar arrangements will be made for Hindus as they have been done for Muhammadans. But I say in all seriousness that unless there are religious instructors no one would care to go to the prayer hall. As I have said before I think in the hostel the duties of guardians devolve upon the hostel superintendent, but as he cannot possibly attend to everything. I think special arrangements ought to be made for religious teaching. But I say that this may be started as an experimental measure and, if it proves successful, the arrangements may be developed.

In the budget only a small sum has been provided for general improvement of education. But whatever that may be, if the principle is once accepted by Government, then I have no objection if the money comes from other sources than the one I have indicated in my resolution. With these few observations I commend these two resolutions for the acceptance of the House."

Maulvi Abul Kasem; Mr. Hornell; Babu Kishori Mohan Chaudhuri; the Vice-President; Mr. Hornell.

The Hon'ble MAULVI ABUL KASEM said :—

"Sir, I want to associate myself with the proposal of the Hon'ble Babu Kishori Mohan Chaudhuri that some arrangements should be made for imparting religious instructions to our boys. And I think this can be done without encroaching upon the funds at the disposal of the Government. We have started a hostel in Burdwan and one of the stipulations of appointing a Superintendent made by Government was that he should impart religious and moral training to the boys residing in that hostel. The same arrangements can be followed elsewhere without any additional expenditure. In any case the time has come when some arrangements should be made in this direction and I hope that the Hon'ble the Director of Public Instruction will take some steps in this direction. With these words I support the resolution."

The Hon'ble MR. HORNELL said :—

"Sir, my difficulty is that resolution No. XXX suggests that Rs. 15,000 should be set apart for appointing experimentally a few special educational supervisors for the careful and systematic supervision of students in selected Government institutions; whether living in hostels or messes or with their guardians."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"I have modified this to the extent that these supervisors should exercise supervision over students in hostels."

The Hon'ble the VICE-PRESIDENT said :—

"The Hon'ble Member has not amended his resolution and the Hon'ble Mr. Hornell is quite in order in discussing it as it stands on the agenda."

The Hon'ble MR. HORNELL said :—

"With reference to Government hostels, I should like to say that if the Hon'ble Member had only given me the benefit of a few minutes' preliminary conversation with him I would have shown him that there was a scheme for giving grants to members of college and school staffs for the duties which they perform as hostel superintendents. The particular assignment to which the Hon'ble Member would debit the cost of his proposal, contains a grant of Rs. 1,32,000 for hostels. We are now spending a part of this grant on improving the supervision of hostels, not only those attached to Government institutions, but also those attached to aided schools. Government feel that it is essential that these superintendents should be members of the staffs of the colleges and schools concerned. I do not, however, know whether the educational supervisors whom the Hon'ble Mover has in view are to be members of the staffs or they are to be hired outsiders; if the latter then I have the strongest objection to his proposals. I do not understand how a man who is not on a college or school staff is going to fill in his time supervising the morality of boys who are absent in their college or school for the greater part of the day.

With regard to the question of messes and students living with their guardians, we have tried to encourage a system by which a member of staff of the college or school concerned has a certain area handed over, as it were, to him, and that member exercises or is supposed to exercise general supervision and to cultivate friendly relations with the students living within that area. I do not say that this is very effective, but it is something.

Taking the resolution as it stands, are we really to regard the Hon'ble Mover's suggestion seriously? What is suggested is that a certain class

Babu Kishori Mohan Chaudhuri; The Vice-President: Babu Kishori Mohan Chaudhuri.

The Hon'ble MR. HORNELL—*concluded.*

of officers be appointed—I presume appointed by Government and certainly paid by Government—and that one of the duties of those officers should be to interfere between the guardians and their wards. The resolution before the House is that the officers are to exercise supervision over pupils living in hostels or messes or with their guardians. As I said in another case, the system of guardians is in some cases scandalous. There are cases where a college student lives with a school student, the college student becomes the guardian of the school student for the purposes of the school and the school student becomes the guardian of the college student for purposes of the colleges and there are various other equally ingenious devices. On the other hand there are serious *bonâ fide* guardians. Is it suggested that Government should come between the guardians of this kind and their wards? The proposal, as it stands although it may be designed to meet difficulties, is a dangerous one.

There is very little to be said with regard to resolution No. XXXII. The proposal is altogether vague; it says that Rs. 10,000 should be set apart for appointing a few instructors for imparting moral and religious training on national lines. The whole question of moral and religious instruction in schools is still before the Government of India. The question as regards hostels is not at all difficult, as the superintendents of hostels can easily arrange with the consent of the college authorities for such religious and moral instruction. I understand from my Hon'ble friend, Maulvi Abul Kasem, that such an arrangement has been made in the Burdwan hostel. I do not see any necessity for further expenditure on this matter.

I regret that Government are unable to accept either of these resolutions."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"As regards resolution No. XXX, I submit that one portion may be withdrawn and that the last portion may only be taken up because my Hon'ble friend, the Director of Public Instruction, says that as the resolution now stands it is not possible for Government to accept it. I may be permitted to withdraw the first portion for the present. As regards the last portion, *i.e.*, the portion dealing with students living in hostels or messes, what I intend is this: that a whole-time man may be appointed to supervise their conduct and that this should be done by Government. No private arrangement is possible and it is not desirable perhaps that an outsider should be introduced."

The Hon'ble THE VICE-PRESIDENT said :—

"Before the Hon'ble Member goes any further, I think I must put the matter clearly to him. The resolution before the House has not been formally amended in any way. The procedure of the Council must be followed and unless the resolution has been amended formally with the permission of the President it must be put as it stands. If the Hon'ble Member, however, wishes to withdraw his resolution, it may be withdrawn, but I cannot at the present moment allow him to amend its form."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"I will put this resolution. As regards the other resolution, I am met with the objection that this is not the time and that also it is a question of funds. It is an experimental measure and if it proves unsuccessful, it may be discontinued. My proposal only concerns students living in hostels and messes and if funds be supplied to the hostel authorities, some arrangements could be made towards giving religious instructions to the students. No

The Hon'ble BABU KISHORI MOHAN CHAUDHURI—*concluded.*

private arrangements can possibly be made. And I hope there should be no difficulty in finding the funds."

Resolution No. XXX was then put and lost.

Resolution No. XXXII was then, by leave of the Vice-President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXXIII.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 6,000 be set apart for opening one more section in each of the first and second year classes in the Rajshahi College for accommodating at least 200 additional students; and

(*b*) this sum be met from the lump grant of Rs. 8,20,000 for expenditure for the recurring grant under head 22—Education.

He said :—

"Sir, the scheme will not at all be costly to Government. I made the suggestions last year to the Principal of the Rajshahi College, for 250 boys had to be refused admission into the Rajshahi College. As there was necessity for additional arrangement I suggested it, and it was not given effect to. A nominal grant of Rs. 6,000 may be made to the Rajshahi College for opening two sections for the 1st and 2nd year College classes. I am sure that the income from fees would be quite sufficient to meet the expenses that will be incurred. I hope that this modest request will be accepted."

The Hon'ble MR. HORNELL said :—

"Mr. Vice-President, I regret that Government are unable to accept this resolution. This proposal went up to the governing body of the Rajshahi College last year, and having been rejected it has now been put before the Legislative Council in the form of a financial resolution. I have already explained that the funds from which the Hon'ble Member proposes to find the money cannot be touched. All fees are under the Government rules paid into the treasury; so that if the proposal were accepted, we should have to find the money from next year's budget to finance the scheme during the currency of the coming financial year. The fund from which the Hon'ble Member wishes to finance this scheme is not only all earmarked but was not provided by the Government of India for collegiate education. Therefore the proposal is financially impossible.

For the last three years, the question of the development of the Rajshahi College has been receiving very careful attention. In 1913, I paid a visit to the College and went exhaustively into the various questions connected with its development and approached Government. We have now worked out a scheme of development. That scheme involves, among many other things, new lecture rooms, new hostels,—we have been told that students—specially Muhammadan students—are wandering from door to door in Rampur Boalia unable to find accommodation. All these considerations will have to be carefully considered and there are no funds from which we can immediately finance this scheme. This proposal was rejected by the governing body last year and it has not yet reached me. In these circumstances, I hope the Council will agree that it is quite impossible for Government, having

The Hon'ble MR. HORNELL—*concluded.*

never seen this proposal, to commit themselves to this expenditure, more especially as the source from which the Hon'ble Member would meet the expenditure is not only all assigned but is not available for education of that character."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said—

"I am sorry that this modest resolution cannot be accepted and that the paltry sum of Rs. 6,000 cannot be found. My Hon'ble friend knows full well that this money can be recouped by fees to be paid by students. The question was before the governing body, but they could not do anything without special sanction and for that sanction I have put forward this resolution. I am not yet convinced that there will be any difficulty about the matter and I still hope that the resolution will be accepted by the Council."

The motion was then put and lost.

[At this stage the Council adjourned for an hour for lunch. On its reassembling His Excellency the President took the chair.].

APPENDIX TO THE LIST OF BUSINESS—ITEM Nos. XXXIV & XXXV.

The following resolutions stood in the name of the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

XXXIV.—This Council recommends to the Governor in Council that—

(*a*) an annual grant of Rs. 1,200 be made for creating a few scholarships for the Rani Hemanta Kumari Sanskrit College, attached to the Rajshahi College, for the study of Sanskrit Byakarana, Sahitya, Smriti and Darsana ; and

(*b*) this sum be met from the further recurring grant of rupees one lakh and fifty thousand under the head 22—Education.

XXXV.—This Council recommends to the Governor in Council that—

(*a*) an annual grant of Rs. 600 for contribution for carriage accommodation be made to the P. N. Girls' School at Rampur Boalia in Rajshahi ; and

(*b*) this expenditure be met from the lump provision of Rs. 30,000 for Female Education under head 22—Education.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"With reference to resolutions Nos. XXXIV and XXXV I had a talk with the Hon'ble Mr. Hornell. As he is sympathetic in this matter, I beg permission to withdraw these resolutions.

The resolutions were then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXXVI.

The Hon'ble BABU AKHIL CHANDRA DATTA moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 60,000 be set apart for expenditure in the year 1917-18 for the Chandpur Water-supply Scheme : and

The Hon'ble BABU AKHIL CHANDRA DATTA—*continued.*

(*b*) the expenditure be met from the grant of Rs. 3,05,000 under the head Miscellaneous and Unforeseen Charges ; or out of the grant of Rs. 2,10,000 for the construction of steam launches for the river patrols of the Presidency Police ; or out of the grant of Rs. 78,642 for construction of thana launches and floating thanas for the River Police in Eastern Bengal.

He said :—

" My Lord, this is a resolution of a most non-controversial character. In fact I find myself in a position to put my case still higher and to say that the scheme in question has already obtained the administrative approval of your Excellency's Government. The estimated cost is Rs. 64,000, not Rs. 60,000 as appears on the agenda through a clerical error either of my own or in the office of the Legislative Department. This cost has been proposed to be met by a loan of Rs. 42,000 and a contribution of Rs. 22,000 from the Provincial revenues. This financial arrangement has also been accepted by the Government more than a year ago. But there was no provision made for this grant in the last year's budget and the work could not be executed. We are now discussing another budget and it is disappointing to find that the claim of this small scheme has again been passed over. Chandpur is now a thriving but congested commercial centre and the proposed water-works is a matter of the utmost immediate urgency and cannot be indefinitely put off without converting the place into a hot-bed of cholera and other epidemics. My Hon'ble friend on the right, Rai Mahendra Chandra Mitra Bahadur, tells me that the introduction of water-works has mitigated the ravages of cholera and small-pox in Hooghly, Sahebganj and British Chandannagore. I cannot imagine any nobler object upon which money can be spent than the prevention of epidemics.

I have made two suggestions as to the source from which the money is to come. I do not know and cannot say whether better suggestions could not be made. We non-official members labour under a very great disadvantage in this matter. For after all there is more beneath the budget than appears on the surface. There is much more in the budget than we non-official members know. I am free to confess that I have made a suggestion, because under the rules I have got to make one. That is, however, a question which may more profitably and appropriately be left to the Government.

My Lord, I have great faith in the financial resources of the Government in this war notwithstanding the lavish provision made for numerous new schemes in various directions has confirmed my faith. I do believe that the Government can without much difficulty find out the amounts in question, if they are at all earnest about the matter.

I wish to make one general observation about the resolutions moved by non-official members on the revised financial statement. We non-official members of the Council are merely interpreters of the wishes and feelings of the people. If we have any business here, it is simply to present the popular side of the shield to the Government. Resolution after resolution has been moved on the revised financial statement. These resolutions merely crystallise the views and feelings of the people with respect to the budget. My Lord, it is said that a budget in all civilised countries reflects the wishes and wants of the people. The non-officials members have availed themselves of the valued right of moving resolutions on the budget. The *Statesman* may shower ridicule upon our devoted heads as lavishly as we have showered money upon police projects, but I maintain that we have tried by these resolutions, according to the light within us, honestly to tell the Government what the people feel and think about the budget before us. But the fate of these

Nawab Sir Syed Shams-ul-Huda.

The Hon'ble BABU AKHIL CHANDRA DATTA—*concluded.*

resolutions is anything but inspiring and edifying. There were as many as 38 resolutions on the agenda. One after another all these resolutions have practically been negatived. In other words, the wishes of the people embodied in these resolutions have been summarily and contemptuously brushed aside. Have the Government seriously considered the effect which the proceedings of these two days' meetings of the Council are bound to produce upon the people of Bengal? Are the deliberations and labours of this august body during these two laborious days anything upon which either the Government or the people can be congratulated? Will not the impression go forth from one end of the country to the other that our much vaunted reformed Council is not, for all practical purposes, a whit better than that of the pre-reform days? Will not people think that it is a case of all that glitters is not gold? Will the Government consider the full significance of such impression gaining ground in the country? Need I point out that the inevitable result will be to frustrate the very object with which, what are called, the Morley-Minto reforms were introduced? Need I say that this is disastrous from the Government standpoint? All friends and well-wishers of the Government recognise that any step taken to confirm an impression in the mind of the public that in the Council Chamber there is going on a perpetual conflict and contest between the official and non-official members is not conducive to the best interests either of the people or of the Government.

As a friend of the Government, my Lord, I would ask you to pause and consider whether it is not high time that the Government should turn over a new leaf so as to prevent the impression from gaining ground in the country that the budget debate is absolutely unprofitable to the people and that the non-official members are no more profitably employed than crying in the wilderness. When the people agitated for a reformed and enlarged Council and for larger powers for the elected non-official members, our critics said that we were crying for the moon, and now judging the tree by the fruit our opponents have very good reason to laugh within their sleeves and to reflect with satisfaction that the powers conferred upon the elected members to move resolutions on the budget are no more substantial than moonshine. My Lord, as the proceedings of the Council went on these two days from resolution to resolution, the feeling that oppressed me most was that we non-official members sit here only to play the part of the chorus in a Greek tragedy."

The HON'BLE NAWAB SIR SYED SHAMS-UL-HUDA said:—

"My Lord, I am sorry that I cannot accept this resolution, and for this reason that the money that has been provided in the budget for sanitation is not sufficient to carry out this project, and the proposal that my Hon'ble friend has made for taking money from some other sources is one which cannot be accepted, because the money so provided is for equally if not for more urgent work. I shall not follow my Hon'ble friend in his general observations. I think that if the country were told by him and by other friends of Government, that while the war is on, Government require to economise their resources, he would be doing a very useful work. I think that the outside public require this kind of teaching more than the Council Chamber here.

In 1914, we promised to pay a contribution of Rs. 60,000 to the Chandpur Municipality, but the Commissioners wanted a loan of Rs. 34,000 in addition. Then the war came and we found ourselves unable to give this money to the Chandpur Municipality. We had a number of other urgent schemes and we have provided Rs. 2,50,000 for schemes of water-works. All that I

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA—*concluded.*

can tell my Hon'ble friends is this: that when better financial conditions prevail we will consider the claims of Chandpur and we admit that this is an urgent case and as soon as we are able to provide the money we will do it. One other fact remains to be stated. My Hon'ble friend asks for only Rs. 60,000 as a contribution from Government. Is he prepared to say that the municipality can carry out the scheme without a loan, and if not, unless there is a loan of Rs. 34,000 how could the scheme be carried through? Besides the scheme is now old. What was expected to be sufficient in 1914 will not be sufficient now, because prices have gone up and I doubt that even with a loan of Rs. 34,000 and a contribution of Rs. 60,000 the municipality will be in a position to carry out the water-works. My Hon'ble friend ought to realise that the demand for water-works comes from all the municipalities in the Province. It is not Chandpur alone that requires water-works. There are various other municipalities who require water-works much more urgently than Chandpur. When Government had plenty of money the municipalities did not come forward with their proposals and their contributions. Now that we cannot find the money we are pressed on all sides for it. If the work is considered very urgent Government will consider the matter at the earliest opportunity when they are in a position to do so. With our limited resources and other calls on us, I cannot promise that we can find the money this year. The further proposal is that the expenditure be met from the grant of Rs. 3,05,000 under the head 'Miscellaneous and Unforeseen Charges' or out of the grant of Rs. 2,10,000 for the construction of steam-launches for the river patrols of the Presidency Police, or out of the grant of Rs. 78,642 for construction of thana launches and floating thanas for the river police in Eastern Bengal. I know that in making budget provision for all these items, every case was carefully considered on its merits and provision was made for those which were immediately and imperatively urgent. It is no use telling my Hon'ble friends that we cannot pay any portion of the money budgetted for police purposes for water-works, for one Hon'ble Member told us yesterday that he will not be convinced that any money is necessary for police buildings. Well, if that is the attitude of mind, I am afraid I cannot convince him. The Hon'ble Mr. Lyon will try to do so."

The Hon'ble MR. LYON said:—

"My Lord, I only wish to refer to one item. This comprehensive resolution suggests three alternatives of finding money. As regards the first alternative, 'Miscellaneous and Unforeseen Charges,' it has already been explained to the Council why money cannot be spared from that head. The second refers to the construction of steam-launches for river patrols, Rs. 2,10,000. I had the honour to address the Council yesterday on that subject. But the third alternative is one poor unprotected item to which no reference has yet been made, and that is the sum of Rs. 78,642 for floating thanas and launches.

In pursuance of the policy which we adopted yesterday of explaining all the items attached and defending them on their merits, I will say just a few words on this particular item. This sum of Rs. 78,642 has been provided out of a special non-recurring Imperial grant which was given for this specific purpose, the purpose of reorganising and improving the police in Eastern Bengal. It is part of a large scheme for reorganisation which includes the river police. Special investigations were made with reference to river crimes some years back, and it was ascertained that there was an enormous amount of undetected river crime and a great deal more unreported. The fact is well known to some Hon'ble Members of this Council. In order to meet this state of things, it was determined that it was necessary to make an improvement in the river police. It was found that there were vast stretches of unpatrolled

The Hon'ble MR. LYON—*concluded.*

rivers infested by dangerous gangs of thieves and dacoits, and we have to persevere steadily until our organisation has been completed. The scheme included 27 floating police-stations, of which 25 were in Eastern Bengal. These were actually constructed, but two were taken over by the new Assam administration and we require two more. The dockyard has hitherto been unable to construct these two, but they can do so now, and a sum of Rs. 23,242 is required for this purpose. Twenty-eight station launches were required, and 12 were completed, but the Military Department have, for purposes which have been most successfully carried out in Mesopotamia, commandeered eight of them; these are to be replaced after the war. Four more are under construction, and we provide for laying down an additional four at a cost of Rs. 55,544. I would earnestly beg the Council not to interfere with our perseverance in this matter and to continue to provide the equipment which is required in order to carry out a scheme which has proved definitely successful."

The Hon'ble BABU AKHIL CHANDRA DATTA said :—

"In view of the observations made by the Hon'ble Member in charge and by the Hon'ble Mr. Lyon, I do not think that I can take up the time of the Council with anything to say in reply. I shall, however, say this, that it is very difficult to explain things to the people of the outside world about the want of money on account of the war in view of the fact that we have money for so many new schemes. Otherwise, if there were absolutely no new undertakings we would have been satisfied and it would have been easy to explain matters to the people."

The motion was then put and lost.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXXVII.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) a sum of Rs. 25,000 be granted to the Kurseong Municipality as a contribution towards the improvement of the town by electric installation and other necessary reforms; and

(*b*) this sum be met from the grant of Rs. 11,09,000 under head 32—Miscellaneous.

He said :—

"My Lord, I want for the improvement of the Kurseong Municipality a grant of Rs. 25,000, but in view of the observations made with reference to the resolution just moved, I do not know what fate awaits my prayer. Kurseong is a sanitarium and a large number of people resort thereto for the improvement of their health. If Government could see their way to grant this amount for the improvement of the Kurseong Municipality by electric lights and other sanitary improvements, it would be much appreciated by the residents. I hope that this grant will be made, I do not like to detain the

The Hon'ble BABU KISHORI MOHAN CHAUDHURI—*concluded.*

Council long with any further observations. With these few words I commend it to the acceptance of the Council."

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA said :—

"My Lord, having opposed the resolution for water-works, I can hardly be expected to give a promise for an electric installation in the Kurseong Municipality, and I believe my Hon'ble friend does not claim that this would either make the place cleaner or free from malaria. If the people of Kurseong want a luxury like an electric installation, I think they ought to pay for it and not look to Government for a contribution. The other matters referred to are very indefinite and I do not know what they are and I cannot say anything about them. I may inform my Hon'ble friend that we do not officially know of any such scheme. We have demi-officially information about a scheme which provides for electric current being obtained from Darjeeling. That question is again bound up with the hydro-electric scheme for the Darjeeling Municipality, the execution of which depends upon Darjeeling getting a loan of 4 lakhs. It is no use our providing money for an electric installation in Kurseong when they want the current from Darjeeling, and Darjeeling is not likely to be able to give it for many years to come. It is, therefore, unnecessary for me to discuss the source from which the Hon'ble Member proposes to get the money for this scheme."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, in view of the observations made by the Hon'ble Member in charge, I do not press the resolution."

The resolution was then, by leave of the President, withdrawn.

APPENDIX TO THE LIST OF BUSINESS—ITEM No. XXXVIII.

The Hon'ble MR. PROVASH CHUNDER MITTER moved the following resolution :—

This Council recommends to the Governor in Council that the provision for an expenditure of a sum of rupees four lakhs and thirty-six thousand for land acquisition and buildings in connection with the partition of the districts of Midnapore and Mymensingh be omitted.

He said :—

"My Lord, in placing the resolution before this Council I shall assume that, having regard to the discussion which took place yesterday, some arrangement is necessary for relieving the District Magistrate of his duties; I may add that it is my personal opinion that, regard being had to the nature of the charge in the district of Mymensingh, some arrangement is certainly necessary for relieving the District Magistrate of his heavy duties. Though not to the same extent, but perhaps to some extent, it is also necessary in the district of Midnapore. The proposal, as I understand it, is to divide the district of Mymensingh into three districts with nine subdivisions in place of the five we have at present. As regards the district of Midnapore, the proposal is to divide it into two districts and to have six subdivisions instead of four. Regard being had to these proposals, I venture to think that the sum of Rs. 4 lakhs and odd which we want to provide in the budget for that purpose is wholly insufficient; it does not represent even

Mr. Provash Chunder Mitter.

The Hon'ble Mr. PROVASH CHUNDER MITTER—*continued.*

a fraction of the capital expenditure necessary for the purpose. We do not know, my Lord, what the total amount of the capital expenditure will be. I have tried to calculate it in my own way—I must admit that such calculations are liable to error—and I find that the total capital expenses cannot be less than 50 lakhs for providing four additional district head-quarters and also for providing six subdivisional head-quarters. As regards recurring expenses, I should think that they cannot be less than 10 lakhs of rupees. If the Government are ready with estimates, then perhaps the Hon'ble Member in charge of the Department will be pleased to let us know what these figures are. If, however, Government are not prepared with their estimates then I submit that is a point against them. Before launching into schemes of this nature, it is absolutely necessary that Government should know exactly to what sum the estimates would amount to. At any rate my Lord, although the Council has heard from the Hon'ble Mr. Lyon about the necessity for the partition of these districts and the necessity of relieving the district officers, it has not yet heard from the Hon'ble Member what the total expense would be. By providing this 4 lakhs and odd in the present budget Government commits itself to this definite scheme in this definite form. Next year we do not know what the position of the finances would be. If the war continues, it is certain that the financial position would be much worse, but let us hope for the best and let us hope that before next year victory will be ours. Even then, my Lord, the financial position will be a difficult one. For years we cannot expect to have the normal state of our finances. It is not necessary for me to dilate further upon the point as it is pretty obvious to everybody. After providing for the 4 lakhs, if the Hon'ble Member who is in charge of finances next year and if the Government which will be responsible for the administration of the province next year, find that it is not possible, regard being had to the war conditions, to provide for anything like 40 or 50 lakhs for capital expenditure and to provide for anything like 10 lakhs for recurring expenditure, then the whole of the 4 lakhs would be thrown away and thrown away when every rupee is of the utmost importance for the defence of the Empire. My Lord, it is for that reason my proposal is this : if it is necessary to partition these districts, partition them by all means, but before doing so, let us know what the total cost will be and also let us know whether next year we shall be in a position to meet the necessary expenses. Without such assurance I think, my Lord, with the greatest respect to those who are responsible for providing this 4 lakhs and odd that it is not a businesslike way of proceeding with the matter. I therefore propose that instead of providing for a small fraction of the capital expenses this year it will be much better to provide for a substantial portion of such expenses next year. My Lord, if your Excellency's Government accept my suggestion, then do you really much-delay this much-desired consummation? By providing for this 4 lakhs you do not intend to partition the districts in the current year. Suppose next year, funds are available and if you provide for 25 lakhs by way of capital expenditure, then perhaps the ultimate delay will be a delay of five or six months only. Conceding for the sake of argument, the delay will be delay of a year, even then it is necessary to know where we stand. My proposal is simply this : If these districts have got to be partitioned, let us decide upon partitioning them after full facts as to expenditure are placed before this Council and placed before the public, and let us consider the matter after the new Government is formed, for we cannot shut our eyes to the fact that your Lordship is going to leave us, much to the regret of the province and of all the Members here ; and as a new Government is coming, the personnel of which will be different from that of the present Government, that Government will be committed to this scheme in all its details and that is my point

The Hon'ble MR. PROVASH CHUNDER MITTER :—*concluded.*

with all details, as to where the head-quarters of the three districts in Mymensingh will be, with details as to where the head-quarters of the two districts in Midnapore will be and with details as to the head-quarters and limits of the 16 subdivisions. The new Government will be committed to all these and if they find that the financial resources at their disposal are not such as to enable them to give effect to these detailed schemes, and if they find it necessary regard being had to their resources to have two instead of three districts in Mymensingh, and so on then a good portion of the money will be wasted. On the other hand, I again venture to remind the Council that my proposal is not that you must not have a partition but my proposal is that if we are to have a partition, let us have it after we know the financial position better and we cannot know better unless we are in the neighbourhood of the closing of the next financial year.

For all these reasons, my suggestion is not, as was suggested by some of my Hon'ble friends, that the money saved by not partitioning these districts should be spent for other purposes. My suggestion is merely that that provision be omitted and if that provision be omitted, that money will either be in our hands or in the hands of the Government of India, and I daresay that when fuller and more definite financial schemes will be brought forward, that money will be forthcoming next year. I am not unmindful of the fact mentioned by the Hon'ble Mr. Lyon yesterday that we cannot have 2 lakhs or thereabouts from the Government of India and we cannot spend that from our total closing balance. If next year the demand for partition be as keen as they are now, I daresay that the Government of India will not object to giving us the same facilities next year as this year. With these remarks, I beg to place the resolution before the House."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, I did not wish to make any speech on this resolution, because directly or indirectly, we have had this matter discussed since we began this sitting of the Council yesterday. I rise at the present moment to make a suggestion and wild as it may appear to be, I am quite serious about it. I hope it will serve to shorten controversy which has clustered round this project of partitioning of Midnapore and Mymensingh. We all agree, at least most of us, that in the interests of administrative efficiency these two districts ought to be partitioned. We differ as to how this money budgetted for is to be spent because we think that the present time is not an opportune moment for undertaking a financial project of such a responsible character. If, therefore, the money can be had in some other way, we do not think we ought to object to the partition being carried out. In this connection, I would just make a suggestion to the official members of this Council Why should not they, for instance, forego a portion of their salary for a year and use this money for the partition to be carried out, in the interests of administrative efficiency ; they should be prepared to make this sacrifice, as of all people they are the best advocates of efficiency, I think they should undertake to make this little sacrifice in this matter. If this can be settled, I will ask my Hon'ble friend to withdraw his resolution. If it is not accepted, I will support it."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, I regret that this motion was not moved at an earlier stage, because many of the motions, which have been discussed and voted upon, upon this question of partition or no-partition of Midnapore and Mymensingh, would not have been discussed. Many of our colleagues have been casting a

Mr. Kerr.

The Hon'ble RAI RADHA CHARAN PAL—*concluded.*

longing eye upon this sum of Rs. 4,36,000 which has been ear-marked for this partition. The debate would perhaps have been shortened, and we would have finished many of the resolutions because if this resolution of the Hon'ble Mr. Provash Chunder Mitter could not be accepted by the House, then, as a natural consequence many of these resolutions would have been withdrawn without any discussion. I must say that the Hon'ble Maulvi Fazl-ul-Haq always enlivens the debate with a little pepper and salt of criticism, sometimes well merited and sometimes humorous. After what has fallen from the Hon'ble Mover of this resolution, will the Hon'ble Mr. Lyon tell this Council whether any calculations have been made with reference to this scheme of partition?"

The Hon'ble MR. KERR said :—

"My Lord, I do not propose to cover the same ground that was taken by the Hon'ble Mr. Lyon yesterday in putting forward the general reasons for pushing on the schemes for the partition of Midnapore and Mymensingh. The Hon'ble Mr. Lyon showed that partition was necessary for the introduction of any large extension of local self-government through village unions and that partition would consequently assist directly those schemes which are mentioned in many of these resolutions for sanitation, primary education and so on. He pointed out how the partition schemes were delayed for many years partly owing to the partition and re-partition of Bengal and partly owing to the care with which these schemes had been examined so as to meet the difficulties of the people concerned. He showed that the schemes are now in an advanced stage, that we are in a position to start work on them and that both the Government of India and the Finance Committee of this Council have agreed that we should begin by providing a comparatively small sum in the next year's budget. He also pressed upon this Council that they should confirm that action of the Government of India and of the Finance Committee and the Council agreed at any rate to this extent that the sum of Rs. 4,36,000 should not be transferred to any other object. As the Hon'ble Mover has pointed out, his resolution is of a somewhat different nature to the resolutions which were discussed yesterday, because he proposes to cut out this expenditure altogether without transferring it to any other head. His objection is, I gather, not to a scheme of partitioning these districts, but to the fact that the Council does not know to what extent of expenditure they would be committed by accepting the expenditure which has been proposed in the budget. That is, of course, perfectly true; the budget is an annual budget and does not show the cost of schemes as a whole, but fortunately I am in a position to give the Council a certain amount of information on this subject.

The estimates for the partition of Midnapore have just been worked out in detail. They are still subject to the sanction of the Government of Bengal, the Government of India and the Secretary of State, but I may say that the total initial expenditure will be about 15 lakhs. The total recurring expenditure will be about a lakh annually.

For Mymensingh we have not yet selected the head-quarters of the western district, and it is therefore impossible to say at the present moment what the expenditure on land will be. We may, however, take it that the expenditure in Mymensingh will be about double that of Midnapore.

The Hon'ble Member has suggested that a little delay over these matters would not do any great harm, and that if we make a start at once there is a risk that this sum of Rs. 4,00,000 will be thrown away. That would not be the case, as this sum is provided for initial expenditure on the acquisition of lands and the collection of materials, bricks, etc., for building

The Hon'ble MR. KERR—*continued.*

purposes, and these things will not be lost even if there is delay subsequently. Unless we begin this work at the beginning of next cold weather, we shall be thrown back a whole year and not a few months as the Hon'ble Member has suggested. As to the Hon'ble Member's request for details of the schemes, I need only say that the schemes have been described at length in various notifications which appeared in the Gazette on several occasions, and I do not think I need take up the time of the Council in explaining the schemes in detail.

I would like to bring this Council down to some concrete facts and to show the real manner in which the carrying out of these schemes of partition will affect the welfare and happiness of the inhabitants concerned. There seems to be some sort of impression that money spent on schemes of sanitation or education produces an immediate and perceptible improvement in the condition of the people; but that expenditure on partition schemes will at best make a few officials a little less hard worked or more comfortable, and that it will produce no effect on the ordinary inhabitants of the district. If the Hon'ble Maulvi Fazl-ul-Haq's proposal were accepted, partition schemes would not be an unmixed blessing to the officials; but I need hardly go into that. I want to get down to facts and I want to tell this Council of an area which I know very well—the Sadar subdivision of Midnapore, because I lived there for the best part of two years. The area of the Sadar subdivision of Midnapore is over 3,000 square miles and the population must now be over a million and a half; and with all due deference to what the Hon'ble Babu Ambika Charan Majumdar said yesterday, I say unhesitatingly that the administration of the Sadar subdivision of Midnapore compares very unfavourably with that of Pabna, Bogra and Bankura.

Take the question of chaukidari assessment. This is a matter which touches every family in the district, rich or poor, sick or well, and every grown-up person. When I arrived at Midnapore, I found a shelf stacked with a formidable bundle of papers and I found that these were all complaints against the chaukidari assessment of different villages. My predecessor was too busy to look into them. Well, I was young and keen at the time and resolved to go into the matter. I tackled it as soon as I went out into camp and I did what I could, but I found very soon that it takes at least two days to assess a village properly, and I had not two days to spare, let alone 2,000 times 2 days; nor had I even time to draw up an assessment scheme which could be worked out by others. The result was that the bundle of papers was bigger when I left the district than when I arrived there and from what my Midnapore friends tell me, it is properly bigger now than it ever was, unless the people have got tired of complaining. It is perfectly obvious that the only way in which a question like chaukidari assessment can be tackled, is by the constitution of properly organised panchayats or village committees, or whatever you like to call them, but you cannot ask the District Magistrate to proceed to form these committees, when he has to look after a Sadar subdivision of the size of Midnapore. Now I say that a just and equitable chaukidari assessment would add materially and immediately to the happiness and contentment of the people, and particularly of the poorer classes. I think also that, if the partition of Midnapore resulted in nothing more than this, it would be well worth doing. But the partition will, I hope, do much more than this. I could tell you of some police-stations in Midnapore which have not been inspected by the District Magistrate for years, and to which even the Superintendent of Police can only pay brief hurried visits, during which it is quite impossible to concert measures to deal properly with crimes and criminals. I could also tell you of registration offices where the arrangements are of the most primitive and inconvenient description, because none of the higher district officials have time to look into

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The Hon'ble MR. KERR—*concluded.*

matters or try suitable schemes for improvement, or to work out such schemes for the higher authorities in the forceful way which is necessary in order to extort money from my hard-hearted friend in charge of the Financial Department. The Hon'ble Surgeon-General could also tell you that the same thing happens in regard to mufassal dispensaries and hospitals, which the Civil Surgeon cannot possibly get round in a year. I could also tell you of the aboriginals and of the woful state into which they have fallen, because no district officer has had time to establish those personal relations which are absolutely essential if you are going to do any good to primitive people of this kind. I will not weary the Council by going further into the details of district administration. I merely claim that I have established that schemes of partition of excessive administrative areas, if properly conceived and drawn up with reference to the wishes and convenience of the inhabitants, are capable of doing an immense amount of good to the people concerned. I do not under-rate the advantages and potentialities of education or sanitation, but if it is a question of spending a sum like 12 or 15 lakhs non-recurring, and a lakh or so recurring, which may be taken as the ordinary cost of a district partition scheme, I am inclined to think that you would do more good by putting that money into schemes of partition of huge over-grown districts like Midnapore and Mymensingh, than by putting it into small schemes of education and sanitation, for which the district is not administratively ripe. In fact, I would go further and say that the formation of districts of manageable size is a necessary preliminary to any great advance in sanitation or primary education. And I do hope that when the districts are divided, the local committees will be able to make very great advance, and the District Magistrate will have more time to consider the best way of meeting local needs. We have no doubt that this will be the best way to advance the ideal of local self-government which the Hon'ble Members of this Council have so much at heart."

The Hon'ble MR. PROVASH CHUNDER MITTER said:—

"My Lord, I have listened with great interest to the speech of my hon'ble friend, but I must confess that I could not follow him when he referred to the question of expenses on sanitation and education. I never asked like some of my hon'ble friends that this money instead of being spent on partitioning the two districts should be spent on sanitation and education, nor could I follow my Hon'ble friend when he referred to the necessities of partition. I began by saying that I am personally convinced that some strong measures must be taken for relieving the District Magistrate of his work, and I may say that a careful study of the District Administration Committee's report has convinced me that so far as Mymensingh at any rate is concerned, some steps are absolutely necessary, but I submit that my Hon'ble friend has not really answered my arguments. My argument was this, if you want a partition, have it and have it as soon as possible. My Hon'ble friend says, if you do not provide four lakhs and odd this year, then it will mean a year's delay. Delay means that next cold weather you cannot go on securing building materials and so on, but if we do not have the money next year how are we benefited? If we have the further money, next year there will also be the money which is unspent this year, but if on account of the war and on account of financial difficulties it is not possible for us to have the 10 lakhs odd, which I am told is necessary, then I ask again how are we benefited? Nobody can foresee now what our financial position will be next year, and is it wise and is it just that the Government should be committed to a scheme at a time like this when it is difficult for anyone to prophesy what the financial position will be three months hence, not to speak of one year?"

Nawab Bahadur of Murshidabad.

The Hon'ble MR. PROVASH CHUNDER MITTER—*concluded.*

A division was then taken with the following result :—

Ayes.	*Noes.*
The Hon'ble Dr. Nilratan Sarkar.	The Hon'ble Mr. P. C. Lyon, C.S.I.
" " Mr. Provash Chunder Mitter.	" " Nawab Sir Syed Shams-ul-Huda, K.C.I.E.
" " Mr Arun Chandra Singha.	" " Mr. N. D. Beatson Bell, C.S.I., C.I.E.
" " Dr. Deba Prasad Sarbadhikari, C.I.E.	" " Surgeon-General W. R. Edwards, C.B., C.M.G.
" " Rai Debender Chunder Ghose Bahadur.	" " Mr. J. Lang.
" " Rai Radha Charan Pal Bahadur.	" " Mr. B. C. Mitra.
" " Dr. Abdulla-al-Mamun Suhrawardy.	" " Mr. C. J Stevenson-Moore, C.V.O.
" " Maulvi Abul Kasem.	" " Mr. J. H. Kerr, C.S.I., C.I.E.
" " Maulvi A. K. Fazl ul-Haq	" " Mr. H. L. Stephenson, C.I.E.
" " Mr. A. Rasul.	" " Mr. J. Donald.
" " Babu Bhabender Chandra Ray.	" " Mr. F. A. A. Cowley.
" " Babu Akhil Chandra Datta.	" " Mr. W. W. Hornell.
" " Rai Mahendra Chandra Mitra Bahadur.	" " Mr. S. W. Goode
" " Babu Surendra Nath Ray.	" " Mr. H. P. Duval.
" " Mr. K. B. Dutt	" " Rai Priya Nath Mukharji Bahadur.
" " Babu Kishori Mohan Chaudhuri	" " Nawab Bahadur of Murshidabad.
	" " Sir Rajendra Nath Mookerjee, K.C.I.E.
	" " Mr. J Mackenzie.
	" " Mr. G. C. Godfrey.
	" " Mr. Ameenur Rahman
	" " Raja Hrishikesh Laha, C.I.E
	" " Mr. R. Glen.
	" " Mr. F. W. Carter, C.I.E.
	" " Sir A. Birkmyre, Kt.
	" " Mr. E. B Eden.
	" " Mr. E. A. Martin.

The following members were absent :—

The Hon'ble Mr. H. R. A. Irwin.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Mr. Altaf Ali.
" " Rai Sri Nath Ray Bahadur.
" " Babu Ambika Charan Mazumdar.

The following members abstained from voting :—

The Hon'ble Maharajadhiraja Bahadur of Burdwan.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Babu Mahendra Nath Ray, C.I.E.

The Ayes being 16 and the Noes 26, the motion was lost.

On the conclusion of the debate on the Resolutions on the Financial Statement the Hon'ble NAWAB BAHADUR OF MURSHIDABAD rose and said :—

"My Lord, we are on the eve of Your Excellency's departure from amongst us and we are very sorry that we shall not be able to further enjoy the benefit of Your Excellency's rule. For the last five years, Your Excellency has shown a constant and keen anxiety for the well-being of those entrusted to Your Excellency's care, and we shall all suffer by Your Excellency's departure. My Lord, you shall never be forgotten by those who look upon Your Excellency's exceptional qualities of head and heart with feelings of great admiration. Your Excellency's good nature, high mindedness and love of justice have endeared Your Excellency to all, rich and poor alike, throughout the province of Bengal. We trust and fervently pray that from the time that Your Excellency embarks homeward right up to the moment that you set foot on the shores of England Your Excellency will meet with nothing but good luck ; and in the future and for many years to come Your Excellency will enjoy continued prosperity and contentment. With a very heavy heart, I beg to bid Your Excellency farewell."

The Hon'ble the MAHARAJADHIRAJA BAHADUR OF BURDWAN said :—

"My Lord, in ordinary circumstances this will be the last meeting of the Bengal Legislative Council over which Your Excellency will preside not only as the Governor of Bengal, but as President of this legislative body. The time has come for you, Sir, to say farewell and no body of members have a better right to say farewell to you first than the members of your Legislative Council. I do not wish to speak about Your Excellency's qualities as an administrator, for there are abler hands to do justice to that fact through the public bodies which will be presenting you with farewell addresses. I wish therefore to confine myself, Sir, to speak of you as our President of this Council. It is true that some of us have not been able to see eye to eye with Your Excellency or Your Excellency's Government in many matters. But we all agree that we have every reason to be grateful to you, Sir, as President of this Council for the unfailing courtesy which you have always shown us and if there has been any erring on the side of the President it has always been on the right side. And if I may say so without being accused of a spirit of levity, that during a hot day in March or during a long day of innumerable resolutions many of us enjoyed forty winks, thanks to Your Excellency's leniency and the official members also joined issue with us wholeheartedly. And this is due to the fact, Sir, that while these long discussions have been on, your vigorous mind has been busy working at that tell-tale blotting pad before you from which has emanated the jute bandage and many an ingenuous little thing which my friend Mr. John Maclaren of Messrs Hamilton & Co has had to work out afterwards. My Lord, we are very sorry indeed to part with you, Sir, and if some of us have in season and out of season brought in this Council the questions of industrial development, of sanitation and of rural water-supply, it has been due to the fact that Your Excellency's kind interest in these matters have spurred us on to bring these facts to the notice of the Council so often as well as of the public at large. There are few statesmen who have had such opportunities of studying the problems of Colonial and Indian administrations as Your Excellency had and we look forward to the time when in the House of Lords Your Excellency will be able to press to the notice of the House many of the pressing needs of the Colonies as well as of India and of Bengal in particular.

In conclusion, Sir, on behalf of the landholders of the five divisions of this Presidency, I beg to wish Your Excellency a farewell and we do so very reluctantly."

The Hon'ble SIR ARCHY BIRKMYRE said :—

"My Lord, it is my privilege on behalf of the European non-official members of this Council to convey to Your Excellency an expression of our regret at your impending departure from Bengal and our good wishes for your future welfare. At the time Your Excellency assumed office as first Governor of this Presidency, the European commercial community were in a state of alarm and indignation at the proceedings which had resulted in the dethronement of Calcutta as the titular capital of India and the consequent removal of the seat of the Imperial Government from a city which is the embodiment of progress and enterprise in India to a centre which from a commercial point of view might be described as a remote, if interesting, mufassal station. Several years have now passed since the change was made and we have no reason to alter our views, then expressed, that a serious mistake was made—in fact the lapse of time has shown that our fears regarding the inconvenience to the commercial community were amply justified. Our feelings regarding the indignity which we then considered had been placed on Calcutta have been softened to a great extent as time has gone on and this we feel may be principally attributed to the tact and sympathy which Your Excellency has invariably shown towards our affairs. In fact we consider it was an extremely happy decision which brought Your Excellency from

The Hon'ble SIR ARCHY BIRKMYRE—*concluded.*

Madras to be the first Governor of Bengal. It has been Your Excellency's guiding principle to gain first-hand knowledge of the many and various problems which have come before you, and we appreciate in no small degree the interest you have taken in the welfare and development of this Province. My Lord, you have visited many of our mills and workshops, our mines and plantations—indeed there are few, if any, of the industries of Bengal with which Your Excellency has not made yourself personally acquainted. It has been a source of great pleasure to those who have had the privilege of showing you over their undertakings to note the real interest which you have displayed in all you have seen—an interest which has, in many cases, resulted in suggestions from Your Excellency of no small practical value. On the occasion of many of those visits you have been accompanied by Her Excellency, who has invariably shown her interest in the commercial development of the Province in all its branches, and I hope the Home Industries Association which Her Excellency has recently been instrumental in forming will remain a lasting memorial to Her Excellency's practical solicitude for the welfare of Bengal. Though I have confined my remarks to that portion of Your Excellency's activities which more closely concern the commercial community, I would like to say we are in no wise blind to the wise and sympathetic manner in which the Government of the Province, under Your Excellency's guidance, has handled the many and difficult political problems with which it has been confronted. I feel sure when the history of Bengal is handed down to future generations, the part Your Excellency has played in this respect will be more than appreciated. It now only remains for us to wish Your Excellencies a safe and pleasant voyage Home and every success in the work which we are certain you will soon be called to put your hand to in the service of the Empire. We believe, whatever that work may be, Your Excellency is not likely to forget Bengal and her interests, as most assuredly your many friends here will not forget you nor what you have done for the Province while you have been here."

The Hon'ble BABU SURENDRA NATH RAY said :—

"My Lord, as representing in your Lordship's Council the municipalities of the Presidency Division, which is the premier division in this Presidency, I should like to say a few words on an occasion like this.

It is about five years ago that the people of Bengal heard with the greatest satisfaction of Your Excellency's transfer from Madras to our newly-constituted Presidency for Your Excellency had already earned there the esteem and regard of the people by your sympathetic administration. Your Excellency since your advent here has been popular with all classes of people of this country of whatever class or creed he may belong. The people of Bengal highly appreciate the deep sympathy and the keen interest which Your Excellency has always taken in all that concerns the well-being of the people of Bengal. Your earnest solicitude to promote their political, intellectual and industrial progress, the kindliness of your relations with the representatives of the people and the tone of sympathy which you have imparted to the administration will be gratefully cherished by the people long after you have left these shores. Your genial temper and cordial relationship with the people of this country have brought about a good will between the two races and inspired confidence towards the British rule. My Lord, much depends upon the head of an administration specially of an administration such as yours have been. You as the highest official in the land have shown by your treatment of the people of this country how they should be treated by the officials.

My Lord, we know full well that the war has been the stumbling block to progress in several ways—for we have been deprived for the last two years of those grants from Imperial Revenue without which any

The Hon'ble Babu Surendra Nath Ray—*concluded.*

improvement in the education and sanitation of this Presidency is impossible. We know that if it had not been for this war, many much-needed reforms would have been accomplished facts ere long. But Providence has decreed otherwise. Many of this good intention on the part of your Lordship's government remains unfulfilled on account of want of financial resources. But, my Lord, this war has been of indirect advantage to the people of this country. The people of this country wanted an opportunity to show to their fellow-subjects in other parts of the Empire that they are equally anxious with them to uphold the dignity and prestige of the British Raj. It was through your Lordship's influence and exertions that the Bengal Ambulance Corps was formed and the Government knows of the splendid work done by them in Mesopotamia. It was again through your Lordship's influence and exertions that the Bengalees were allowed to enlist as soldiers and the Bengalee Double Company was formed and they all speak well of these new soldiers of His Majesty the King-Emperor from their Excellencies the Viceroy and Commander-in-Chief to the Captain in their regiment at Karachi. It is a misfortune that the people of this country are not always given opportunities to show their usefulness to their King and country. We are therefore grateful to Your Excellency for affording us the many opportunities of showing our metal and how useful we can be to the Empire, when the disabilities under which we labour have been removed.

We wish very much that Your Excellency had remained here at the head of this Government some time after the war had ended, when we expect some boons to be conferred on the people of this country. A man of your Lordship's sympathy for the hopes and aspirations of the people of this country would have been of signal service to the people. We trust your Lordship's successor will carry out in a sympathetic spirit the progressive policy which you have initiated.

One word more and I have done. The people of Bengal are all sensible of the great interest which Her Excellency Lady Carmichael has taken to develop the home industries of the country as well as to educate the women of this country as nurses for nursing the sick in our hospitals. We expect a new life to the home industries from the pains she has taken to promote them and long will her name be remembered among the poor and the cottage owners of Bengal.

This is the last occasion on which Your Excellency is presiding over the proceedings of this Council and in taking leave of Your Excellency, we feel sure that you will take an abiding interest in the welfare of Bengal and her people. We wish you a safe voyage home. May you live long in your Island home to do good to the people of this country, who, I assure you, are deeply grateful to you, and are attached to you by bonds of love and affection".

The Hon'ble Rai Radha Charan Pal Bahadur said:—

"I desire to associate myself with my Hon'ble colleagues who have preceded me in tendering to Your Excellency our tribute of respect and gratitude for what you have done for our country during your tenure of office. My Lord, the experiment of having a Governor to rule over the destinies of the people of Bengal has been fully justified by what Your Excellency has done during the five years of your office. When we remember your benign sympathy with the people our hearts melt with gratitude. I remember the celebrated speech of His Majesty the King-Emperor (then Prince of Wales) when he was being entertained in the Guildhall after his return from India that it was sympathy which was required in India—and it was genuine sympathy alone on the part of our rulers which was required to win the hearts of Indians. Your Excellency during your term of office has, by your sympathy, won the hearts of the people of Bengal. There have been differences of opinion in matters of administration, but there is no ruler on the face of the earth

The Hon'ble RAI RADHA CHARAN PAL BAHADUR—*concluded.*

who can satisfy all aspirations and all parties. I do not flatter Your Excellency when I say that the whole country is truly grateful to you for your genuine sympathy and love for the people. Accessible to all to Prince or peasant alike you have taken the deepest interest in the welfare of all classes of this country. Unfortunately, the war has retarded some of the improvements which were foreshadowed for the development of the country. Still Your Excellency's sympathies for the people have been fully demonstrated by some of your measures, notably the development of self-government by conceding to the people the privilege of electing non-official Chairmen in some of the District Boards and Municipalities in Bengal. Your keen interest for improving the sanitation of Bengal by appointing committees to investigate the question of rural water-supply and the question of how to prevent malaria—all these facts show that you were keenly anxious to improve the condition of the mass of the people whose destinies were committed to your care. Foremost amongst your work and with which Her Excellency Lady Carmichael is associated is the industrial development of the country. Upon it also depends the prosperity of the country and Your Excellencies have tried your best to inaugurate measures for the development of the industries of Bengal. I hope when you return home you will be pleased to hear that the measures which you have inaugurated have developed and have produced happiness and prosperity in the country which was committed to your care. My Lord, we feel the pang of separation. For five years you have been in our midst working and mixing with us and sympathising with our aspirations and trying your best to meet our wants. It is a genuine feeling of pain at the inevitable separation. The people of Bengal were anxious to approach their Sovereign for the purpose of getting an extension of Your Excellency's term of office, but Your Excellency could not see your way to stay here any longer and the idea was eventually given up. My Lord, when you return to your sea-girt isle in whatever sphere you may be placed, I would ask you to remember India. I would ask you to remember Bengal and its people, and do your best to elevate Indians to take their proper place in the great British Empire."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, after all that has been said, it is scarcely necesssary for me to say anything further, but on behalf of the Muhammadan members of this Council representing the five divisions, I wish to give an expression, however inadequate it may be, to all that we feel on the impending severance of Your Excellency's connection with this Council. I am one of the very few members who have had the privilege of sitting in this Council for the whole period during which Your Excellency has presided over its deliberations and I can truly say that whatever may have been our lot in the discharge of our duties as non-official members of this Council, we have always received the utmost sympathy and consideration at Your Excellency's hands. Your Excellency has always allowed us the utmost latitude in the discussion of questions brought before this Council and we all very gratefully remember the opportunities that have been given to us of bringing up questions affecting the public interests for discussion freely in this Council. My Lord, even in the ordinary circumstances of life it is always a sad thing to have to part company, but on this occasion our grief is all the more keen because by Your Excellency's departure we lose a Governor whose wide sympathy and capable statesmanship have won for him the respectful regard and esteem of all sections of the community.

On behalf of the Muhammadan members of this Council, I beg to offer to Your Excellency a very sad and regretful farewell and we all join fervently in praying to the Almighty Dispenser of events to grant Your Excellency long life and continued prosperity."

HIS EXCELLENCY THE PRESIDENT said :—

"GENTLEMEN,

I thank those Hon'ble Members who have spoken about me. Their words were far kinder than I deserve, but I know they meant what they said; and I am truly grateful. I thank all of you for the way in which you accepted their words. When one has worked in close touch with friends for five years one cannot but feel sad when the work has to come to an end. You are my friends and I do indeed feel sad just now. When I came to Bengal to preside as Governor over my colleagues in Council five years ago I confess I felt anxious. I knew that the changes which brought me here were not wholly welcome to many of those over whom I was to rule, and I was not quite reassured by the thought that the Government which brought about those changes relied, as their Despatch to the Secretary of State showed, on the fact that by the help of a singularly able Civil Service a series of men of no conspicuous ability had been able to carry on a difficult Government in other places; for the same despatch led me to expect greater difficulties here than are found in other places, and I knew that some of those who most clearly foresaw difficulties doubted whether any good thing could come out of Madras. But it was not long before I learned that far more people in Bengal were willing to help me than I could have hoped for and that criticism is always meant to be fair and that anything which may seem harsh in it is due to want of full knowledge, not to ill-will.

It has often been pointed out that a Governor in India presiding over his Legislative Council has to do what in England and many other countries is done by two men. He has to act both as Speaker of his Council and also as head of the Executive Government; and I have myself pointed out, though I do not know that what I said was understood quite as I meant it to be, that a Governor is the only man here who can effectively play the part so often needed in the public interests played by the leader of the opposition in England. It is not always easy for one man to discharge such varying duties. I did not expect to satisfy every one at all times, but I have been fortunate in those who helped me. I thank my colleagues on the Executive Council who form so to speak my cabinet; among them there has only been one change. Sir William Duke—to whom I owe as much gratitude for help as any man can owe to another—left us, and was succeeded by Mr. Beatson Bell; but Mr. Lyon and Sir Shams-ul-Huda have worked with me all through. To each of them I desire to express my thanks.

I would like to take this chance too of publicly thanking all my officials for what they have done to make the burden of my labours light. I fear they must often have thought me slow-witted. It must be annoying to have a Governor asking tiresome questions about things he knows nothing of and wanting to have explanations of matters which to an expert seem obvious. When I read the questions put by some of you in the Council I occasionally wonder whether the Governor or the Additional Members of his Council give most trouble to Secretaries to Government; and when I find how gladly the Secretaries suffer me, I feel that they must be very wise indeed.

I thank you all for the help you have given me in this House, for your ready acquiescence to my rulings and for the intelligent way in which you have done your work. No one can say that Legislative Councils have been a failure in India; most now admit that the Councils must as time goes on be treated with greater consideration and be given larger powers. I was struck when a very high official told me that he thought Councils have done one very good thing for India; they have, he said, helped to make officials more painstaking and more accurate. I had not thought of it in that light. I have looked on the Councils as institutions which will train unofficial Indians to use the extended power which they hope some day to have; and it

HIS EXCELLENCY THE PRESIDENT—*continued.*

has been my aim as your President to encourage you, when I had a chance, to so use the powers you now have, as to convince those who can secure future powers for you of your fitness to make good use of them.

I hope you have not found me too harsh in my rulings. I feel convinced that strict adherence to a proper procedure is most essential. I believe that you will find your best guide in the traditions of the British House of Commons and I am glad that I am to be succeeded by a man with considerable House of Commons experience, and who, therefore, can help you much.

You and I have not passed a great deal of legislation. I am sorry for this. But it was inevitable, you all know why. You all long for the cause to be soon removed; and I trust you will all do your best to induce the people of this Presidency to make full use of the opportunity which the issue of the War Loan will give them directly of taking their part in removing it. Most of our energy in the House has been taken up in asking or answering questions or in discussing resolutions. A somewhat profitless use of energy I believe some of you think it. But to that I demur. By questions and answering of questions, by resolutions and the discussion of resolutions we get to know each other's minds. Government cannot do justice to itself, any more than it can do justice to the people over whom it is set, unless both the people know the mind of Government and Government knows the mind of the people: it is the duty of those of us who are officials, especially of my three colleagues and myself, to explain what Government think and why we think it, but it is no less the duty of those of you who are not officials to let me and Government know what the people whom you represent think.

Some of you have told me that my administration will be remembered chiefly as the administration which enforced an Act which is not a Bengal Act,—the Defence of India Act—, an Act which some of you say the people of Bengal do not like, and in the administration of which some of you find much to blame. I have spoken of that Act before, and I am going to speak of it again now. It is only fair to you and to my successor that I should. Some of you believe—I have heard you say so—that the greater proportion of those who have been dealt with under the Act have been proceeded against merely because police officers have suspicions about them. I have told you before that that is not the case; and I tell you again that it is not the case. I have frequently asked those who made the statement to let me have the names of a few, half-a-dozen even out of the large number—they say it is far the larger proportion of approximately 800 people dealt with under either the Defence of India Act or Bengal Regulation III of 1818—whom they believe to be merely the victims of police suspicion. They have not so far sent me any names. But I am having every case re-examined and most carefully tabulated and 776 cases have been re-examined up to date. Of these—

One hundred and twenty-one have been implicated by their own confessions made here in Bengal.

That is quite apart from some others who have made confessions to authorities outside of Bengal. A further 229 are implicated by confessing associates whose statements are supported by corroborative evidence such as finds of arms or property known to have been stolen in dacoities or by documentary evidence or by their own conduct on arrest.

One hundred and sixty-one are implicated by the confessions of associates, generally two or more, but without such corroborative evidence as I have just mentioned.

HIS EXCELLENCY THE PRESIDENT—*continued.*

One hundred and ninety-five are implicated by such corroborative evidence supported by statements made by informers.

And 70 have been implicated by evidence of informers coupled with evidence of association. Of these 70, 10 are accused by informers who have been murdered. This strengthens, to my mind, at least, the case for believing that the information given was probably true.

In six other cases bombs were produced by the sources who gave the information.

In 21 more of the 70 cases what seems to be very strong evidence of association with known criminals is relied on, in addition, of course, to the informer's statement.

In 17 the men are accused, though only on the evidence of informers of such dangerous crimes, that I do not think Government would be justified in giving up such control as they have of them.

In 16 more cases release has been granted or shortly will be granted. Releases from control under the Act since the beginning of this year amount to about 30.

These figures show that the number of cases in which there is not something very definite to justify detention is under 5 per cent. of the whole of cases dealt with and in this number of less than 5 per cent. there is strong evidence of association in addition to informers' statements.

If what I have said is true, and I believe it is true, it is enough to show that there is no truth whatever in the accusation made against Government to the effect that we are dealing with these men merely on the suspicion of individual police officers.

I have only mentioned so far 776 cases. These 776 are the cases of which up to now a re-examination has been made, but the complete number of cases dealt with altogether under the Act and under the Regulations in Bengal is 791. It is fair that I should point this out, though it is not very material, for the difference is satisfactorily accounted for. There are three cases examined before but not yet re-examined. I hardly expect to find anything wrong with these. The remainder are cases sent here by the Government of India with orders to intern or from other provinces and of three men belonging to other provinces dealt with by other Governments.

There was one case in which a man was released just after the order issued as his was found to be a case of mistaken identity.

As showing that the information received by the police is not as unreliable as some of our critics tell us it is, I would like to point out to you that such information has led to 54 finds of arms and ammunition. Forty-seven of these were finds of pistols or pistol cartridges. In 20 of these cases the arms found have been identified as the stolen property of private persons who had complained of their loss by thefts or dacoities in which people of the *Bhadralok* class were suspected at the time the losses occurred. It must, I think, strike you as significant that 14 of the persons dealt with were men actually seen shadowing police officers, and that in five cases the shadowing was followed by actual murder.

Five of those whom we have dealt with, while in custody, threatened police officers with death, and three threatened witnesses with death.

Some of you have told me you admit that the crimes exist; you even admit that Government may be right in their ideas as to who the criminals

HIS EXCELLENCY THE PRESIDENT—*continued.*

are, but you deny that the Defence of India Act has been of any use. I do not agree with you and I will tell you why. The Defence of India Act was passed in August 1914, but the information obtained by means of the Act relates in some instances to crimes which were committed before the passing of the Act. We may take, roughly speaking, the 1st January 1914 as the date on which we began to be able to derive any benefit from disclosures made owing to the Defence of India Act. Before that date there were 107 outrages of the kind we are considering. Some of the men concerned in 35 of these were convicted. In a fair proportion of cases approvers or informers have mentioned the names of men who have subsequently been dealt with under the Defence of India Act when found by Government to be reasonably suspected of complicity in other crimes, but no clue whatever has been found in 49 out of the 107 cases.

Since January 1914 down to the middle of last month there have been 67 outrages—convictions have been obtained against men concerned in eight of these. Confessions naming some at least of the perpetrators have been made in about 42 other cases, and there is other evidence making similar disclosures in all but eight of the remainder. I unfortunately must not disclose names, but I can assure you that it is not at all a large proportion of those who have committed outrages since January 1914 to whose identity the police have no clue. The total number of absconders is not large, that of those whose names are indefinitely known is very small indeed. But these numbers include some very dangerous men, and until these very dangerous men are under our control, it would be most unwise for Government to deal as leniently as I would like with other men who are mere tools—sometimes perhaps tools who have no idea to what evil purpose they themselves are being put. We cannot let our care slacken while there are men uncaught, who we believe have been concerned in two or in some cases even more—six in one case—murders. The Defence of India Act is what has helped us. I am only saying what I believe to be absolutely true when I say that the Defence of India Act has helped to defend the young educated men of Bengal as nothing else has defended them—not their own fathers—not their teachers for they were ignorant; not their associates, nor they themselves for they were blind to the danger, against a mean criminal organization which, while it pretends to aim at freeing India from a foreign tyranny, is doing a great deal to bring Bengal into a hatred which she does not deserve from her fellow provinces in India and which can only result in postponing of reforms which will benefit not Bengal only, but the whole of India.

I have said enough, gentlemen, on this subject. I would only once more appeal to you—as I have appealed to you before—not to disregard facts.

There is much that India needs; you can all of you help her to get it. Those of you who are Indians have every reason to try and get it: and you will, I honestly believe, get it more surely with the help of my countrymen than you can do alone. The whole British Empire has its eye on you as it never had before. If I may give you one parting word of counsel it is this—do not refuse—merely because of some hard things which have been said or even of some hard things which have been done, to let your case be well looked into by men who are Britons by blood, but who do not live in the British Islands. There is ignorance—crass ignorance if you will—about each other both in India and in the Colonies. I have tried to learn, I think I have learned something of the way in which the people of the Overseas Dominions look on human affairs, and I think I know something of your attitude. You pay me the compliment sometimes of telling me that I understand quicker than many of my fellow-countrymen do what the true aims of Indians are.

His Excellency the President.

HIS EXCELLENCY THE PRESIDENT—*concluded.*

Sometimes I hope I do, but if I do so at all, it is because I learned in Australia to appreciate an attitude of mind towards England which had I never been there I should never have known, and which has often been recalled to me in conversation with your most earnest thinkers here.

To those of you who are officials I know I need say little. It is your proud boast that your every action here is meant to benefit the people of the land in which you serve. If you do but truly realize what the needs of the people are, your actions will win their own reward. I believe you could get more help than you do from the people in realizing this, and it is largely because I want you to get more help that I look forward to extension of education and of local self-government. Finally, I would ask those of you who are not Indians, and who are not officials, to think of your responsibilities. It is you and those of your class who went before you who have made India what she is—the most valued dependency of the British Empire, and one on which other Empires look with longing eyes. You, far more than any Government officials, have developed Calcutta and with Calcutta what makes most for stability in India; and it is with you—far more than with any Government officials, that the future of Bengal rests. No one can say that you have not given thought to what you are doing here, no one can accuse you of idleness or of want of intelligence, but if you look to the future—if you watch the tendency of events and the growth of thought among the people around you—I do think you must feel that problems are springing up the solution of which must affect you and your successors and which may either benefit you or hurt you and your successors, according as you take or do not take a share in their solution. I would appeal to you to do your best to understand what is going on around you. As Governor I have been helped by all classes. I am grateful to all for their help. But this I venture to say—Indians would have helped me more if they had shown me that they were more closely united in their aspirations, and Englishmen would have helped me more if they had shown me better that they knew what Indian aspirations are. I have been here during an interesting time. I leave you just when a still more interesting time is beginning. It has been my great object while here to try and induce all to work together and to see each other's point of view. How far I have succeeded I may never know, but this I do know that without mutual understanding among all whose interests lie in Bengal, Bengal cannot take, as I sincerely trust she may, the leading part in the politcal and industrial progress of India.

Gentlemen, I have said enough—I now merely wish you—and in doing so, I avail myself of a President's privilege, against which there is no appeal, to wish you on behalf of my wife as well as of myself—good-bye."

Adjournment.

The Council was then adjourned to Tuesday, the 27th March, 1917 at 11 A.M.

C. TINDALL,

Secy. to the Govt. of Bengal, and Secy. to the Bengal Legislative Council.

CALCUTTA,

The 24th March 1917.

B. S. Press—25-4-1917—3486J—450—J. L. & B. A.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Tuesday, the 27th March, 1917, at 11 A.M.

Present :

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble MR. P. C. LYON, C.S.I., *Vice-President*

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA, K.C.I.E.

The Hon'ble MR. N. D. BEATSON BELL, C.S.I., C.I.E.

The Hon'ble SURGEON-GENERAL W. R. EDWARDS, C.B., C.M.G.

The Hon'ble MR. J. LANG.

The Hon'ble MR. B. C. MITRA.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. H. L. STEPHENSON, C.I.E.

The Hon'ble MR. J. DONALD.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. W. W. HORNELL.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR.

The Hon'ble IHTISHAM-UL-MULK RAIS-UD-DAULA AMIR-UL-OMRAH NAWAB SIR ASIF QADR SAIYID WASIF 'ALI MIRZA KHAN BAHADUR MAHABAT JANG, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble DR. NILRATAN SARKAR.

The Hon'ble MR. J. MACKENZIE.

The Hon'ble MR. G. C. GODFREY.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. R. GLEN.

The Hon'ble MR. PROVASH CHUNDER MITTER.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M. Maharajadhiraja Bahadur of Burdwan.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI, C.I.E.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. F. W. CARTER, C.I.E.

The Hon'ble SIR A. BIRKMYRE, KT.

The Hon'ble MR. E. B. EDEN.

The Hon'ble MR. E. A. MARTIN.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble MR. A. RASUL.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble MR. K. B. DUTT.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

On His Excellency the President taking the Chair the Hon'ble the NAWAB BAHADUR OF MURSHIDABAD rose and said :—

"My Lord, I feel proud to have the privilege and the opportunity of welcoming Your Excellency and Lady Ronaldshay to this premier city of India and the Presidency of Bengal, and I feel I am at one with the people and the entire Province in expressing to Your Excellencies the heartiest of welcomes. Your Excellency's appointment to the exalted position of the Governorship of Bengal is particularly gratifying to us at a moment when the horizon is overcast with the shadow of a great European war. We have every confidence that Your Excellency will bring to bear upon a situation like this not only the wisdom of an excellent record of varied experience as a territorial officer and a worthy Member of Parliament and many public institutions, but also Your Excellency's knowledge of the East, the result of extensive travel

The Hon'ble the NAWAB BAHADUR OF MURSHIDABAD—*concld.*

and deep sympathy with the Indian ideals very recently expressed, which will no doubt assist Your Excellency in a great measure to appreciate the ungrudging sacrifices made by India, in men and money in this terrible conflict in which her sons have stood shoulder to shoulder with their brothers in arms of England for the honour and integrity of the Empire. I am only expressing the overwhelming sense of public opinion when I say that the people are more prepared than ever to stake their all for sustained effort and continuous self-sacrifice. We trust that Your Excellency's term of office will speedily see the termination of the war and the resumption of normal conditions of administration which, we pray, will be crowned with the utmost success; and in the enduring peace and contentment that will follow Bengal will, I hope, under the inestimable blessings of Your Excellency's benign rule, advance with rapid strides towards natural realisation of her aims and aspirations."

The Hon'ble MAHARAJADHIRAJA BAHADUR OF BURDWAN said:—

"My Lord, on behalf of the landholding interests represented by the five divisions of Bengal, I beg to accord Your Excellency a most hearty and cordial welcome in this Council. Owing to the war, several amendments of the land laws have been discussed and considered by the Government, but have not yet been brought up, but it is more than likely that during Your Excellency's *regimé*, these matters will come up before the Council, and we sincerely hope that, as a great landowner yourself, Your Excellency will be able to look dispassionately into the problems and not incline entirely to that section of the bureaucracy whose narrowmindedness is rather inclined to give the only compliment to the Zemindar as being rapacious and therefore not unwilling to saddle him with all sorts of undesirable tenants by the free distribution of the right of occupancy.

Bengal is pre-eminently an agricultural country, and we can confidently hope Your Excellency will take a keen interest in all agricultural movements and developments, for we are certain that a traveller whose keen perception did not even fail to notice the primitive mode of ploughing of a *balti* in the village of Hardas on the borders of Baltisthan, is certain to be engrossed in the problems of agricultural and rural Bengal, including that beautiful Himalayan region which still probably indulges in many a primitive labourer like the *Balti* of Hardas or a keen *shikari* like Gesso the Shepherd. As President of this Council, we expect from you, Sir, from your great experience in the mother of Parliaments, to guide us in our deliberations, to improve our rules of business and modes of discussion and to extend to us that courtesy and co-operation which alone can vouchsafe the success of Council debates and deliberations. Once more Sir, we welcome you."

The Hon'ble MR. CARTER said:—

"My Lord, it is my privilege on behalf of the European mercantile community of Calcutta to welcome you as Governor of Bengal, the largest and most important Presidency of the Indian Empire.

It is pleasing to us to think that Calcutta is not unknown to you, and it must also be pleasing to you to feel that, having known Government House so well in the past, you can the more easily make it your home now, and we hope, My Lord, that you will indeed make our city a home rather than a place of sojourn.

It is not necessary for me to point out to you the great advantages which the merchants of Calcutta derive by knowing that they can at all times be in personal touch with the Governor, his Council and officials, more especially in these times when we all require assistance to further the trade and commerce of this great city.

When we heard of your appointment to the high office of Governor of Bengal, we considered ourselves especially fortunate. India rejoiced when Lord Curzon was designated as Viceroy of India, and Bengal rejoices now

The Hon'ble MR. CARTER—*concld.*

that you have been chosen as its new Governor—the second Governor of this great Presidency.

We welcome you, My Lord, as statesman, sportsman, scholar and traveller. Your name is familiar to us, as it is only quite recently that you were amongst us as a member of the Public Services Commission, but it is as a statesman and a member of the House of Commons, and from the experience you have gained from that assembly, that we look to you to maintain the dignity of this Council Chamber.

Your career has been an interesting one, and from your earliest days you have set yourself to master the problems of the East, and no one perhaps knows the East and its difficulties better than you do; for this reason, My Lord, you are eminently suitable to preside over the destinies of so vast a Province as that of Bengal.

As a sportsman, we wish you every luck and I hope when the war is over and you can spare time from the onerous duties of your post, that you will be able to add fresh trophies in Bengal to those you have already won elsewhere. Your books show that you have always taken a keen interest in Indian life and policy and that it is no superficial knowledge which you possess of India, its manners and its customs.

You have come, My Lord, straight from England, where at the present time every thought and action of her people is centred on the war, and you may have heard it said that we British in India have not had the war brought home to us. It is true that life in India has gone on much as before, and it is only now that our taxes can even compare with those at home, but all the same, we, too, have paid the bitter toll of war, in friends, in relatives, in sons, and I venture to say that there is proportionately as much mourning amongst us in India as there is at home. It has also been said that India has not done her share. My Lord, what the individual can do, I claim most emphatically that we have done. Hundreds of our best young men have gone to join the army, encouraged and assisted by their employers. War funds have always commanded whatever subscriptions were required, and war work has been carried on all over the country by indefatigable workers of all grades of society, from the highest to the lowest. If compulsory service and war taxation have only come now, the fault is not ours. We would have welcomed them long ago as we welcome now any burdens which Government may place on us, knowing that any fresh burden will help to lighten the lot of those brave men who are fighting for our liberty and our homes in the various theatres of the war.

Our late Governor, Lord Carmichael, in his farewell speech in this Council Chamber just a fortnight ago, said that Englishmen would have helped him more if they had shown him better that they knew what Indian aspirations were. I hope, My Lord, when the time comes for you to lay down the reins of office that you will be able to say that Europeans, and especially the merchants of Calcutta, have given you all the help you required in the government of this great Province."

The Hon'ble DR. DEBA PRASAD SARBADHIKARI said :—

My Lord, on behalf of the very important interests I have the honour of representing on Your Excellency's Council, I beg to associate myself warmly and whole-heartedly with the welcome that has been extended to Your Excellency. It is significant of the strenuous times awaiting Your Excellency that within a very few hours of Your Excellency's arrival after a perilous and delayed journey, Your Excellency is called upon to preside over the deliberations of your Legislative Council. We have every confidence that Your Excellency's energies and resources will be fully equal to this strenuous work, in helping which Your Excellency can rely on your colleagues in this Council. One of the most important of questions that will await Your Excellency's careful and earnest consideration is that of education, which in

The Hon'ble DR. DEBA PRASAD SARBADHIKARI—*concld.*

the forceful and felicitous language of His Excellency the Viceroy in a recent speech, is one of the touchstones of civilization. That question will grow in importance more than ever during Your Excellency's régime. As the Head of the Government of Bengal and as Rector of the Calcutta University, Your Excellency's share in the work will indeed be very large. Primary, Secondary, University, Professional and Technical Education will alike claim Your Excellency's attention and satisfactory solution of questions affecting these important departments of knowledge will help the solution of many a troublous outstanding question that will face Your Excellency in administering the affairs of Bengal. The Bengal Ambulance Corps, the Bengali Double Company and the Bengali Battalion that is in the making are but a small earnest of the capabilities of Bengal's manhood, towards which education has been contributing an important part. But as Lord Chelmsford observed in another important speech the other day, the country's womanhood does not seem to be keeping pace with the seeming progress of its manhood. In equalising things affecting this most important matter, our efforts must be well sustained and no scheme of education can be possibly complete that does not fully take the country's womanhood into consideration. I would for a moment direct Your Excellency's attention to our visitors' gallery, that is, for the first time to my knowledge, crowded to-day, by our ladies, anxious, I take it, to share in the warmth of the Council's welcome to you. This unfamiliar and unrehearsed scene, this effective though silent appeal, will no doubt bring home to Your Excellency the importance of the question. Lady Ronaldshay can be of great use to Your Excellency in the solution of this momentous problem and I cordially extend my welcome to Her Excellency as well.

The Hon'ble BABU SURENDRA NATH RAY said :—

"My Lord, as representing in Your Lordship's Council the Municipalities of the Presidency Division, which is the premier division in this Presidency, I cordially welcome Your Lordship. Your Lordship comes here with experience of the country and its people. Your Lordship has already had to study some of the important questions which are now agitating the educated community of the country. Considerable changes, both material and intellectual, have undergone in this country within the last quarter of a century—a fact admitted by people of all shades of opinion. If India of to-day is not the India of 20 years ago, Bengal which is the most intellectual among the Provinces of India, is not the Bengal of 5 years ago. A change has come over the spirit of the people of this land and we want that that spirit should be accorded the fullest sympathy of the administrators. The country is now full of new hopes, new aspirations and new ideas. It has pleased Providence to place the destinies of this country at such a time in your Lordship's hands. We know that our hopes and aspirations cannot be realised within a day. But we want that our hopes and aspirations may be looked upon with sympathy and early opportunity be taken to give effect to them. You will find us, the representatives of the people of this Presidency, ready to co-operate with the Government in all that concerns the well-being of the land. We want to co-operate with Government in the work of every day administration. You will find in us, the educated community of this Presidency, true friends of the British Government, loyal, peace-loving, law-abiding and above all grateful. My Lord, as Your Lordship once said on a recent occasion, a good deal could be done if there was determined good will on both sides. I can assure Your Lordship that if Your Lordship's Government extends its confidence to the representatives of the people, that confidence will be reciprocated and I will bind the Government and the people in indissoluble unity."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, I desire to associate myself most whole-heartedly with the words of welcome which have just been uttered. I deem it a very great honour to be one of the very few to offer Your Excellency the first words of welcome

The Hon'ble MAULVI A. K. FAZL-UL-HAQ—*concld.*

on this occasion of Your Excellency's first appearance as the Governor of this Presidency and President of the Legislative Council. I need hardly reiterate the hope which has been so eloquently expressed by one of my Hon'ble colleagues that Your Excellency's administration may mark an era of continued prosperity for the people on the basis of a peaceful consolidation of the progress already achieved under Your Excellency's distinguished predecessor. Nor need I reiterate the assurance that has been given that Your Excellency can always count upon the loyal help and co-operation of the non-official members of this Council in the manifold varieties of the task of administration. No such assurance is needed, because I do not know of any instance where this help has been sought and has not been freely given. The services of the non-official members of this Council are not being utilised to the extent that they ought to be. We are in theory, my Lord, the chosen representatives of the people, but I have always felt that in shaping the policy of the administration, our voice in the Councils of Government is sometimes of as little weight and value as that of the man in the moon. I do not, however, wish to mar the cordiality of our words of welcome by raising discordant notes of criticism, but the thought came uppermost in my mind and I could not help giving expression to it. My Lord, I have the good fortune of having entered the Council from the very beginning, and five years of association in working with Lord Carmichael has accustomed me to leniency at the hands of the President. I sincerely hope that Your Excellency will extend to us that latitude in the discussion of all questions which we enjoyed at the hands of Your Excellency's predecessor. My Lord, I do not wish to take up the time of the Council any further. On behalf of the Muhammadan members of this Council, representing the five divisions of Bengal, I offer to Your Excellency a most cordial welcome."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, on behalf of my countrymen and particularly of the constituency which I have the honour to represent, I beg to accord to Your Excellency a most cordial welcome on the assumption of your exalted office. The Warrant of our Gracious and beloved Sovereign which was read out yesterday in the Throne Room is pregnant with deep meaning. Our Sovereign has placed his trust in you in appointing you to the high office and we loyally, respectfully and humbly welcome you as our ruler in the same spirit of trust and confidence that our destinies are safe in your hands. Your Excellency has been sent by His Gracious Majesty to rule over Bengal at a momentous period of her history. Bengal at this moment is throbbing with the pulsations of a new life which with Your Excellency's sympathetic and watchful care may spell for us an era of progress and prosperity. We are on the eve of great changes, both administrative and legislative, promising larger and wider scope to the long-cherished hopes and aspirations of my countrymen, which have received such a strong impetus from the progressive policy of British Rule in India. The fortunes of the foremost Province in India have been committed to your care and even though your assumption of office dates back only from yesterday, millions of my countrymen are anxiously awaiting the policy which Your Excellency's administration will inaugurate in this eventful period of our national existence. My Lord, the lack of understanding which so long seemed to separate the two great sections of His Majesty's subjects is now disappearing as it is bound to do in the growing solidarity of feeling that India cannot exist without England and that England cannot exist without India—a feeling which has led to the comradeship in the battlefield where Indians and Englishmen are fighting together for their King and Country. The moment is opportune and the tide is favourable and the people are sanguine that Your Excellency will rise to the occasion to enable Bengal to realise her destiny under your rule and I can assure Your Excellency that you will not find any lack of co-operation from the non-official members of your Council.

Among the measures which will engage Your Excellency's attention, I may be permitted to mention one in which the seat of your Government,

The Hon'ble RAI RADHA CHARAN PAL BAHADUR—*concld.*

I mean Calcutta, is intimately interested, and speaking on behalf of the citizens of Calcutta I would take this opportunity to press upon Your Excellency's attention the prayer of the people for the restoration of its lost privilege which forms the fundamental basis of Municipal Self-Government in this country.

In conclusion, I wish to assure Your Excellency of our loyal co-operation in the arduous task which Your Excellency has been called upon to undertake as Governor of Bengal."

The Hon'ble MR. MARTIN said :—

"My Lord,—The Hon'ble Mr. Carter has welcomed you on behalf of the commercial community of Calcutta. To his words, I have little to add. What affects Calcutta in the larger issues affects the mufassal also, but, having the honour to represent commercial interests in the mufassal, I feel it cannot be out of place to extend to Your Excellency a most hearty welcome on behalf of that community. Your Excellency will no doubt have many opportunities of gaining first-hand knowledge of the questions which more nearly affect us, and I feel sure we may count on your sympathy for our particular aspirations and on your assistance in bringing them to fruition.

Once more, my Lord, I have no hesitation in asserting that the mufassal is in no way behindhand in welcoming Your Excellency most cordially."

HIS EXCELLENCY said :—

"Gentlemen,—I should like to take this opportunity of expressing my very deep appreciation of the very kindly welcome which you, as members of the Bengal Legislative Council, have extended to me this morning. One of the speakers expressed the hope that in presiding over your deliberations I should grant you that latitude which, I understood him to say, it had been the custom of my predecessor to allow in conducting your discussions. Well, gentlemen, as far as that goes, I believe that I am now making a good start. I am not fully conversant yet with all the rules of procedure in this Council, but it would certainly be considered irregular, to say the least of it, if we were allowed speeches or discussions of any kind in the House of Commons when there was no motion before the House. The fact that I am allowing a discussion to take place in these circumstances to-day, may assure my hon'ble friends that I do not propose to exercise my authority too rigorously over the proceedings of this Council. Gentlemen, I thank you not only for the cordiality of your welcome, but I thank you also for the expression of your intention to grant me and my Government all the assistance that lies in your power to do. I very much appreciate that expression of your intention. I believe that the Council in Bengal is in many respects, if not in all, the most advanced Council in British India. You have on this Council an actual majority of non-official Indian members and when one of the speakers said that he sometimes felt that the opinions which they were able to bring to bear upon the Government were of little more value than what could be brought by the man in the moon, I think he was very much underrating both his own abilities and the abilities of his colleagues and the power which they are able to bring to bear upon Government opinion and Government action.

Gentlemen, some of the speakers have referred to the fact that at the present serious crisis in our country, it is hardly possible for this Council to undertake any very large measures of legislation. There is an understanding that matters of acute controversy should not be allowed to raise their heads among us during the progress of the war, and that for the very good reason we all desire to concentrate the whole of our energies and our abilities upon the successful prosecution of the war. Gentlemen, I am quite sure that the Hon'ble Mr. Carter need have no fears that we in England do not realize the sacrifices which have been made by all communities in India on behalf of the Empire in this great juncture in our history. We know well that you have sacrificed both blood and treasure lavishly and generously,

HIS EXCELLENCY—*concld.*

to assist us in prosecuting the great struggle in which we are now engaged. We realize that, and we are deeply grateful for it. We are grateful too, that on account of this struggle, you have decided to sink, so far as possible, controversial differences in India itself. We are grateful for this because, until and unless we can bring this terrible struggle which is shaking the very foundations of civilization as we understand it, and of all liberal institutions as we understand them—till I say, we can bring that great struggle to a successful issue on behalf of civilization, of freedom and of right—it is impossible for us to be assured that we can continue in peace and prosperity to carry on and advance the work of political and administrative progress within our own borders.

Gentlemen, it is not my intention to detain you at great length on this occasion. More than one speaker has referred to the fact that I am not altogether a stranger to this country. It is quite true, gentlemen, that I have for a good number of years now taken a very deep interest in the peoples and problems of this great continent. I have visited it, I think, on five different occasions, and I have done my best during the course of my visits to study and to try to understand the aspirations of its people, but I would not have you suppose for one moment that, because I have done this, I do not realize that I have very much to learn. I am by no means so foolish as to suppose that the observations which I have been able to make as a private visitor have enabled me to get at the root of the many problems which must confront the administrator, and I only regard my previous studies with satisfaction to the extent that they constitute a foundation, as it were, upon which I may now base a closer and a more profound study of the many problems and questions with which I shall be faced.

Gentlemen, I will not now detain you any longer from the regular proceedings of the Council. Once more I thank you from the bottom of my heart for your kindly cordial welcome."

LIST OF BUSINESS—ITEM No. 1.

(STARRED QUESTIONS.)

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

ovision in the dget for ditional Legal membrancer.

* 1. Will the Government be pleased to state the reasons for providing in the Budget for 1917-18, an additional grant of Rs. 40,000 over Rs. 35,000 of last year, for the Additional Legal Remembrancer?

Answer by the Hon'ble MR. KERR :—

"The provision has been made in view of probable expansion of work."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

signment m Provincial to perial venues.

* 2. (*a*) Will the Government be pleased to state the terms and conditions on which the assignment of Rs. 20,40,000 from Provincial to Imperial Revenues was fixed in March 1916, at the instance of the Government of India, in consideration of the estimated increase in the income-tax receipts?

(*b*) Was there any understanding that this amount of assignment would not be liable to revision in any manner till the restoration of normal financial conditions?

(*c*) Do the said terms make it obligatory upon the Local Government to make this assignment even if the total increase in revenue due to enhanced taxation falls below Rs. 40,80,000 in any year?

Answer by the Hon'ble MR. DONALD :—

" (*a*) & (*b*) The Hon'ble Member is referred to paragraph 17 of the Revised Financial Statement for 1917-18.

(*c*) The reply is in the negative."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

* 3. (*a*) Will the Government be pleased to state whether the construction of the Police buildings, provided for in the Budget for the year 1917-18, is in each particular instance a matter of immediate and imperative necessity? Constructn Police Bldg.

(*b*) How far would the administration of the Police Department be affected and what new schemes would suffer if the Building programme were postponed for a year?

(*c*) Have the Government assured themselves that temporary housing arrangements are not possible in any of the cases where buildings have been provided for in the Budget?

Answer by the Hon'ble MR. KERR :—

" The Governor in Council has assured himself that the provision made in the Budget for Police buildings is immediately and urgently necessary in the interests of the administration of the Province."

(UNSTARRED QUESTIONS.)

(*Answers to which were laid on the table.*)

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

I. What arrangements have been or are to be made in Bengal for carrying on an investigation into the disease of diabetes? Investigat of diabetes

Answer by the Hon'ble MR. DONALD :—

" An inquiry into the causation and prevalence of diabetes in India is now being conducted by Major D. McCay, I.M.S., Professor of Physiology, Medical College, Calcutta, with the help of certain Assistant Surgeons. The inquiry is under the auspices of the Indian Research Fund Association, which is bearing all the expenditure."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :

II. (*a*) What is the total estimated cost of the Ranchi Lunatic Asylum and what portion of the cost is to be borne by the Government of Bengal? Ranchi Lu. Asylum.

(*b*) On what understanding are the Government of Bengal making this contribution?

(*c*) What share will the Government of Bengal have in the control and management of the Asylum?

Answer by the Hon'ble MR. DONALD :—

" (*a*) The total estimated cost of the Ranchi Lunatic Asylum for Indians amounts to Rs. 27½ lakhs, three-fourths of which will be contributed by the Government of Bengal. The estimated cost of the European Asylum is Rs. 13,57,000. The expenditure on this Asylum is being met from Imperial Funds.

(*b*) The Government of Bengal are contributing three-fourths of the total cost of the Indian Asylum on the understanding that three-quarters of the total accommodation will be allotted to patients from Bengal.

(*c*) The two Asylums will be under the control and management of the Government of Bihar and Orissa, and the Government of Bengal will have no share therein."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Annual grant for secret service money to the Criminal Investigation Department.

III. What has been the total annual grant for secret service money fo the Criminal Investigation Department during each of the last five years?

Answer by the Hon'ble MR. KERR :—

"A statement is laid on the table showing the total annual grant fo secret service money for the Criminal Investigation Department in each the last five years.

Statement.

	Rs.
1912-13	25,500
1913-14	52,000
1914-15	52,000
1915-16	60,000
1916-17	2,93,000*

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Waterways subdivisions in the Presidency.

IV. (*a*) Will the Government be pleased to make a statement shov ing the progress made by the waterways subdivisions in the Presidency?

(*b*) Are the Government considering the advisability of forming wate ways subdivisions in the riparian parts of Eastern Bengal?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) A waterways subdivision in the jurisdiction of the Circular an Eastern Canals Division was formed in September, 1915. The duties of tl Subdivisional Officer comprise the supervision of the working of the *Foye* and *Alexandra* dredgers and the general supervision of the waterways to tl east of Khulna within the limits of the Circular and Eastern Canals Divisio Statements showing the work of the two dredgers up to December, 1916, ha been supplied to the Hon'ble Member and have been placed on the Libra table.

(*b*) Government are considering the question of forming a waterway division and additional waterways subdivisions, but the proposal is at prese in abeyance owing to the practical impossibility of obtaining more dredge during the continuance of the war."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Exaction of "abwabs" under the Bengal Tenancy Act.

V. Will the Government be pleased to lay on the table a statemei showing, district by district, the total number of suits instituted by tenant during the last five years, to recover from landlords the penalty for exactic of "abwabs" under section 75 of the Bengal Tenancy Act?

Answer by the Hon'ble MR. KERR :—

"The figures for 1916 are not yet available; a statement is laid on tl table containing the information for the five previous years."

Statement referred to by the Hon'ble MR. KERR *in his answer to Question No.* (*unstarred*) *asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHU *at the Council Meeting of the 27th March, 1917, showing suits instituted by tenan under section 75 of the Bengal Tenancy Act.*

1911	Nil.
1912	Nil.
1913	1 in Mymensingh.
1914	2 in Khulna. 1 in Mymensingh.
1915	2 in Dinajpur.

* Of this sum Rs 38,000 only was expended on secret service; the remaining expenses, amounting Rs. 2,55,000, were incurred on account of detenus under the Defence of India Act, the Ingress into Ind Ordinance and Bengal Regulation III of 1818. In future, this expenditure will be met from a separa head.

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

VI. Are the Government in a position to furnish definite information regarding—

(*a*) the extent of water-logged areas in each of the districts of the Dacca Division, and

(*b*) their general effect on the sanitary condition of the districts?

Water-logged areas in the Dacca Div

Answer by the Hon'ble MR. COWLEY :—

"The answer is in the negative."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

VII. Are the Government considering the advisability of preparing charts and maps of the water-logged areas in the Dacca Division and for the periodical revision of such charts and maps through the District Boards?

Preparation of charts and maps of the water-logged areas in the Dacca Div

Answer by the Hon'ble MR. COWLEY :—

"The answer is in the negative"

By the Hon'ble MAULVI ABUL KASEM :—

VIII. Is it a fact that recently a witness, in a criminal case in the Court of the Subdivisional Magistrate of Basirhat, after his examination was finished, asked permission to go out and offer his prayers, and that the permission was refused, the Magistrate remarking that if he had to offer prayers, he should not come to give evidence in Court?

Refusal by Magistrate to witness of permission to his prayers

Answer by the Hon'ble MR. KERR :—

"No."

By the Hon'ble MAULVI ABUL KASEM :—

IX. (*a*) Is it a fact that some members of the family of the Hon'ble Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur, were dragged out of a railway compartment at Naraingunj station of the Eastern Bengal Railway by Mr. Ross, the Subdivisional Magistrate of Naraingunj?

(*b*) Is it a fact that the Station Master of Naraingunj remonstrated with Mr. Ross and that the Station Master's request to Mr. Ross not to disturb the passengers was not heeded?

(*c*) If the facts are as stated in clauses (*a*) and (*b*), will the Government be pleased to state what action, if any, they are taking in the matter?

Alleged ill-treatment of family of Hon'ble Nawab Saiyid Nawab Ali Chaudhuri Bahadur, while travelling on Eastern Bengal Railway

Answer by the Hon'ble MR. KERR :—

"The facts of the incident are as follows :—

On the 16th February, Mr. Ross and another gentleman escorted two ladies to the Naraingunj railway station to see them off by the train leaving for Dacca at 11 P.M. They found only one first class compartment, in which a Muhammadan gentleman was seated. As the ladies were travelling alone Mr. Ross asked this gentleman if he would move into one of the two vacant second class compartments, but he was unwilling to do so. As his manner appeared to Mr. Ross to be somewhat peculiar, he considered it essential for the ladies to have the compartment to themselves, and he therefore insisted on this gentleman's leaving the compartment. The gentleman then left the carriage and the ladies got in. A few minutes later, the gentleman returned with the Assistant Station Master and a number of other people. He tried to re-enter the compartment, stating that he had a first class ticket, and would have forced his way in if Mr. Ross had not informed him that, in the circumstances, he could not be allowed to travel to Dacca in that carriage. The Assistant Station Master was requested to provide another first class carriage, but said that there was none in the station. He was inclined

The Hon'ble MR. KERR—*concld.*

to support the Muhammadan gentleman, but he eventually agreed that he should go into the adjoining second class compartment and the gentleman then entered the second class compartment. No force of any kind was used by Mr. Ross at any stage of the proceedings. Government do not propose to take any action in the matter."

SUPPLEMENTARY QUESTIONS.

(Question No. IX.)

The Hon'ble MAULVI ABUL KASEM asked the following supplementary questions :—

Is it a fact that the gentleman referred to was politely asked to leave the compartment for the ladies, and that he refused to do so?

Answer by the Hon'ble MR. LYON :—

"I think the answer gives the complete facts of the case and requires no further addition."

By the Hon'ble MAULVI ABUL KASEM :—

Will the Government be pleased to state whether inquiries have been made as to who this gentleman was, and what was his name and address?

Answer by the Hon'ble MR. LYON :—

"It is not intended to make any further inquiries into the case."

By the Hon'ble MAULVI ABUL KASEM :—

Will the Government be pleased to state in what the peculiarity in his manner lay?

Answer by the Hon'ble MR. LYON :—

"As I have already stated, it is not the intention of Government to add to the statement contained in the answer given."

By the Hon'ble MR. ARUN CHANDRA SINHA :—

X. (*a*) Are the Government aware that an application under the Arms Act was made on the 21st September, 1916, by Rai Tara Nath Chakravarti Bahadur, a retired Government Pleader of Faridpur, to the District Magistrate praying for permission to be given, or in the alternative, necessary licenses to be granted, to his retainers or to certain specified relatives and agents to use on his behalf the two guns possessed by him as an exempted person, on the ground that he himself was unable to use the guns being confined to bed on account of ill-health?

(*b*) Is it a fact that Rai Tara Nath Chakravarti Bahadur has served the Government for over 35 years?

(*c*) Is it a fact that the District Magistrate rejected the application without assigning any reason?

The Hon'ble MR. ARUN CHANDRA SINHA—*concld.*

(*d*) Is it a fact that this order was passed about two months after the application for the permission or for the licenses was made?

(*e*) Will the Government be pleased to state on what grounds the application was rejected?

Answer by the Hon'ble MR. KERR—

"(*a*) An application was filed by the Rai Bahadur on the 21st September, 1916, asking on the grounds stated in the question that six of his retainers might be permitted to use his two guns. No application was made for the grant of a license to the retainers.

(*b*) Yes.

(*c*) The order was—'I am not prepared to grant the request.'

(*d*) The order was passed on the 14th November, 1916. The intervention of the Durga Puja Holidays, and the time occupied in making the usual inquiries account for the delay.

(*e*) The District Magistrate reports that he refused the application because he considered it unnecessary. The applicant as a title-holder has had two guns for a long time and has never before applied that retainers should be authorised to use them. It was stated that the object of allowing retainers to use the guns was to facilitate the collection of rents and the escort of money from the interior, but the District Magistrate found that the guns had never been used for this purpose and that moreover the applicant was a habitual defaulter in respect of Khas Mahal revenue. The Commissioner has since revised the District Magistrate's order and in view of the applicant's age and past services has authorised two of his peons to use the guns as retainers."

LIST OF BUSINESS—ITEM No. 2.

The Hon'ble MR. DONALD laid on the table a statement containing the information promised in his reply to question No. 15 (starred) regarding the excavation of tanks and wells in subdivisions, asked at the meeting of the Bengal Legislative Council held on the 13th March, 1917.

Statement referred to in item No. 2 of the List of Business for the meeting of Counc the 27th March 1917, showing the total number of tanks and wells for drinking u excavated or re-excavated, and the expenditure incurred on them, by District Bo during the year 1915-16.

Name of District Board.	Locality where excavated or re-excavated.	Tanks excavated or re-excavated.		Wells excavated or re-excavated.		Total expenditure	Remarks.
		No.	Expenditure.	No.	Expenditure.		
1	2	3	4	5	6	7	8
			Rs.		Rs	Rs.	
Burdwan ...	Sadar subdivision ...	17	18,727	48	4,979	23,706	Out of 17 tanks 3 tanks completed, 5 were completed, and the re ing 9 were in pr during the year 1915-1 Out of 48 wells 20 were pleted, 13 were nearly pleted and 5 were in pr during 1915-16.
	Kalna ...	..	...	1	...	...	
	Katwa ...	...	...	1	113	113	
Birbhum ...	Sadar ...	1	340	73	17,743	18,083	
Bankura ...	Ditto ...	37	74,705	19	3,837	78,542	
	Vishnupur ...	4	2,490	6	1,438	3,928	
Midnapore ..	Sadar ...	...	...	20	7,363	7,363	
	Contai ...	...	...	5	757	757	
	Tamluk ...	2	...	1	...	697	
	Ghatal ...	...	...	1	141	141	
Howrah ...	Uluberia ...	8	5,377	...	...	5,377	
	Sadar ...	4	...	1	...	2,889	
24-Parganas ...	Basirhat ...	1	(a)21	1	318	339	(a) Rupees 2,997 was sp 1914-15. Rs. 21 1915-16.
	Barasat ...	7	10,860	2	1,179	12,039	
	Diamond Harbour subdivision.	3	5,287	...	...	5,287	
	Barrackpore subdivision.	9	13,615	...	...	13,615	
Nadia ...	Sadar subdivision	...	...	7	2,129	2,129	
	Ranaghat ...	...	...	12	5,788	5,788	
	Chuadanga ...	...	...	17	8,143	8,143	
	Kushtia ...	...	...	(b)19	2,014	2,014	(b) Includes 12 wells exe ed by Union Com mit
	Meherpur ...	...	...	8	2,069	2,069	
Murshidabad ...	Sadar ...	3	...	28	...	7,528	
	Kandi ...	6	...	1	...	1,5 0	
	Jangipur ...	...	...	17	4,035	4,035	
	Lalbagh ...	2	...	1	...	1,931	
Jessore ...	Sadar ...	4	2,325	1	168	2,493	
	Bongaon ...	1	3,481	(c)2	1,203	4,684	(c) Includes one well wi the jurisdiction o Union Committee.
	Narail ...	3	3,542	(d)2	126	3,668	(d) Includes one well wi the jurisdiction o Union Committee.
	Magura ...	5	5,379	(e)4	2,074	7,453	(e) Includes two wells wi the jurisdiction o Union Committee.
	Jhenida ...	...	...	8	3,166	3,166	

NOTE.—Details of the figures included in column 7 are not available in all cases, separate figures not having been supplied for columns 4 and 6.

of District Board.	Locality where excavated or re-excavated.	Tanks excavated or re-excavated. No.	Tanks excavated or re-excavated. Expenditure	Wells excavated or re-excavated. No.	Wells excavated or re-excavated. Expenditure.	Total expenditure.	Remarks.
1	2	3	4	5	6	7	
			Rs.		Rs	Rs	
...	Sadar subdivision	5	3,800	...	...	3,800	
	Bagerhat ,,	14	16,268	...	...	16,268	
	Satkhira ,,	3	2,876	...	..	2,876	
...	Sadar ,, ...	1	...	48	...	8,588	
	Narayanganj ,, ...	...	...	21	2,676	2,676	
	Munshiganj ,, ...	1	1,040	...	...	1,040	
	Manikganj ,, ...	2	...	55	...	6,490	
agh ...	Sadar ,, ...	...	...	4	1,060	1,060	
	Netrakona ,, ...	...	...	2	501	501	
	Tangail ,, ...	...	...	4	1,414	1,414	
	Kishoreganj ,, ...	...	...	4	1,388	1,388	
...	Sadar ,, ...	6	...	1	...	15,871	
	Goalundo ,, ...	10	...	2	...		
	Madaripur ,, ...	5	...	...	...		
	Gopalganj ,, ...	2	...	...	...		
...	Sadar ,, ...	1	1,878	...	...	1,878	
	Pirojpur ,, ...	4	2,312	...	...	2,312	
	Patuakhali ,, ...	4	2,372	...	...	2,372	
...	Sadar ,, ...	4	...	1	...	7,875	
	Naogaon ,, ...	1	...	1	...	1,682	
...	Sadar ,, ...	...	...	10	3,023	3,023	
	Thakurgaon ,, ...	...	...	2	432	4,32	
	Balurghat ,, ...	1	...	7	...	6,714	
...	Sadar ,, ...	...	...	37	8,769	8,769	
	Alipur Duars ,, ...	...	..	13	2,747	2,747	
...	Sadar ,, ...	1	..	(a)30	...	7,812	(a) Includes 20 wells excavated by Union Committees.
	Kurigram ,, ...	...	...	(b)15	..	2,205	(b) Includes 7 wells excavated by Union Committees.
	Gaibandha ,, ...	...	...	(c)6	...	990	(c) Includes 1 well excavated by Union Committees
	Nilphamari ,, ...	...	...	(d)16	...	2,379	(d) Includes 6 wells excavated by Union Committees
...	Sadar ,, ...	2	...	20	...	7,727	
...	Sadar ,, ...	3	...	53	...	6,919	
	Sirajganj ,, ...	...	...	14	2,369	2,369	
...	Sadar ,, ...	7	...	47	...	2,180	
...	Sadar ,, ...	151	56,505	...		56,505	
	Cox's Bazar ,, ...	10	4,915	4	1,725	6,640	
	Sadar ,, ...	...	25,670	...	..	25,670	
	Brahmanbaria ,, ...	16					
	Chandpur ,, ...	10					
	Sadar ,, ...	67	28,479	...	...	28,479	
	Feni ,, ...	11	3,365	...	...	3,365	

NB.—Details of the figures included in column 7 are not available in all cases, separate figures not having been supplied for columns 4 and 6.

Statement showing the total number of tanks and wells for drinking water excavat re-excavated, and the expenditure incurred on them, by Local Boards during the 1915-16.

Name of Local Board.	Locality where excavated or re-excavated.	Tanks, excavated or re-excavated.		Wells, excavated or re-excavated.		Total expenditure.	Remarks.
		No.	Expenditure.	No.	Expenditure.		
1	2	3	4	5	6	7	8
			Rs.		Rs.	Rs.	
Burdwan Sadar ...	Sadar subdivision	...	...	1	588	588	
Asansol ...	Asansol ,, ...	...	...	98	24,888	24,888	
Kalna ...	Kalna ,, ...	...	...	6	2,130	2,130	
Katwa ...	Kutwa ,, ...	...	...	2	577	577	
Rampurhat ...	Rampurhat ,, ...	2	120[a]	...	...	120	[a]Out of Rs. 120 the contributed Rs. Rs. 60 were met fr Board funds.
Contai ...	Contai ,, ...	...	...	43	2,845	2,845	
Ghatal ...	Ghatal ,, ...	3	721	...	...	721	
Hooghly Sadar ...	Sadar ,, ...	5	5,886	25	5,283	11,169	
Serampore ...	Serampore ,, ...	1	1,385	8	385	1,779	
Arambagh ...	Arambagh ,, ...	3	1,858	17	2,047	3,905	
Nadia Sadar ...	Sadar ,, ...	...	...	5	229	229	
Ranaghat ...	Ranaghat ,, ...	...	...	5	166	166	
Chuadanga ...	Chuadanga ,, ...	...	...	7	210	210	
Kushtia ...	Kushtia ,, ...	...	...	17	430	430	
Meherpur ...	Meherpur ,, ...	...	...	6	125	125	
Dacca Sadar ...	Sadar ,, ...	3	...	20	...	8,333	
Narayanganj ...	Narayanganj ,, ...	...	...	32	4,034	4,034	
Munshiganj ...	Munshiganj ,, ...	4	6,839	...	...	6,839	
Manikganj ...	Manikganj ,, ...	...	...	25	4,511	4,511	
Mymensingh Sadar	Sadar ,, ...	1	...	23	...	3,860	
Netrakona ...	Netrakona ,, ...	11	...	2	...	5,219	
Tangail ...	Tangail ,, ...	2	...	12	...	4,469	
Jamalpur ...	Jamalpur ,, ...	...	...	12	2,691	2,691	
Kishorganj ...	Kishorganj ,, ...	3	...	13	...	4,947	
Faridpur Sadar ...	Sadar ,, ...	8	...	12			
Goalundo ...	Goalundo ,, ...	11	...	3	18,874	18,874	
Madaripur ...	Madaripur ,, ...	2	...	...			
Gopalganj ...	Gopalganj ,, ...	12	...	1			
Pirojpur ...	Pirojpur ,, ...	1	62	...	...	62	
Rajshahi Sadar ...	Sadar ,, ...	3	2,384	...	...	2,384	
Nator	Nator ,, ...	3	6,230	...	...	6,230	
Naugaon ...	Naugaon ,, ...	5	2,400	...	...	2,400	
Rangpur Sadar ...	Sadar ,, ...	...	...	7	1,081	1,081	
Kurigram ...	Kurigram ,, ...	...	...	7	1,205	1,205	
Gaibandha ...	Gaibandha ,, ...	2	...	3	...	629	
Nilphamari ...	Nilphamari ,, ...	...	...	7	1,433	1,433	
Tippera Sadar ...	Sadar ,, ...	4	2,456	...	...	2,456	
Brahmanbaria ...	Brahmanbaria ,, ...	1	2,450	...	...	2,450	
Chandpur ...	Chandpur ,, ...	2	1,397	...	...	1,397	

NOTE.—Details of the figures included in column 7 are not available in all cases, separate figures not having been supplied for columns 4 a

ment showing the total number of tanks and wells for drinking water exc vated or e-excavated, and the erpenditure incurred on them, by Municipalities during the year 915-16.

E OF MUNI-IPALITY.	Locality where excavated or re-excavated.	TANKS, EXCAVATED OR RE-EXCAVATED		WELLS, EXCAVATED OR RE-EXCAVATED.		Total expenditure.	REMARKS.
		No.	Expenditure.	No.	Expenditure		
1	2	3	4	5	6	7	
			Rs.		Rs	Rs	
ol ...	Asansol ...	...	...	4	767	767	
...	Katwa ...	...	...	1	335	335	
apur ...	Vishnupur ...	...	...	3	491	491	
nkhi ...	Sonamukhi ...	1	258	2	629	884	
pore ...	Midnapore ...	...	...	8	186	186	
ai ...	Khirpai ...	1	834	...	...	834	
ar ...	Kharar ...	1	889	...	...	889	
pore ...	Serampore ...	...	...	1	351	351	
bagh ...	Arambagh ...	...	...	4	65	65	
... ...	Bally ...	...	...	1	1,186	1,186	
hat ...	Basirhat ...	1*	...	...	...	...	* The excavation of this tank was started at the close of the year 1915-16. A special donation of Rs. 11,000 has been made to meet the cost by a private benefactor.
rta ...	Baduria ...	1	650	...	...	650	
rdanga ...	Gobardanga ...	1	206	..	...	206	
ge-Budge ...	Budge Budge ...	1	1,711	...	...	1,711	
hnagar ...	Krishnagar ...	...	...	2	653	653	
pur ...	Santipur ...	...	...	2	346	346	
dah ...	Chakdah ...	...	...	1	194	194	
gipur ...	Jangipur ...	...	...	4	901	901	
shidabad ...	Murshidabad ...	1	...	2	...	1,098	
nganj ...	Azimganj ...	...	...	6	18	18	
mensingh ...	Sadar ...	...	...	2	707	707	
gail ...	Tangail ...	...	...	43	537	537	
alpur ...	Jamalpur ...	...	...	4	490	490	
horganj ...	Kishorganj ...	...	..	3	835	835	
chiti ...	Nalchiti ...	1†	137	...	...	137	† This tank was re-excavated by the Nalchiti Municipality at a cost of Rs. 471, of which Rs. 334 was contributed by the District Board of Bakarganj.
najpur ...	Dinajpur ...	...	...	4	1,195	1,195	
lpaiguri ...	Jalpaiguri ...	...	...	27	143	143	
ngpur ...	Rangpur ...	...	...	5	718	718	
gra	Bogra ...	...	...	1	892	892	
rajganj ...	Serajganj ...	...	...	4	1,029	1,029	
wabganj ...	Nawabganj ...	...	...	3	754	754	
hmanbaria ...	Brahmanbaria ...	2	778	...	...	7,8	
ndpur ...	Chandpur ...	1	696	...	...	696	

NOTE.—Details of the figures included in column 7 are not available in all cases, separate figures not having been supplied for columns 4 and 6.

LIST OF BUSINESS—ITEM No. 3.

THE BUDGET.

The Hon'ble MR. BEATSON BELL presented the Budget of the Government of Bengal for 1917-18.

He said :—

"My Lord, I have the honour to present the Budget of the Government of Bengal for the year 1917-18 and in so doing I would invite the attention of the House to the short memorandum which I have drawn up and which accompanies the Budget which is now in the hands of all Hon'ble Members. We have discussed the Budget in its previous form—the Revised Financial Statement—for two whole days and we have had interesting debates upon 38 different Resolutions. The present stage is merely a formal stage, and I have only to lay the Budget upon the table of the House with the intimation that when we next meet, Hon'ble Members will have yet another opportunity for expressing their views upon every branch of the Budget."

BUDGET OF THE GOVERNMENT OF BENGAL, 1917-18.

FINANCIAL DEPARTMENT—FINANCE.

CALCUTTA, THE 24TH MARCH 1917.

MEMORANDUM.

IN accordance with Rule 33(*1*) of the Bengal Legislative (Financial Statement) Rules, 1912, published with Notification No. 4482-F., dated the 10th December, 1912, the Budget will be presented to the Council on the 27th March 1917.

2. No change has been made in the figures as included in the Revised Financial Statement. An Appendix C has been added, as usual, to show the transactions of District Boards and the District Road Fund (Darjeeling), although this does not form part of the Provincial Budget proper.

3. The Members in charge of the different departments would be much obliged, if, in accordance with the practice in previous years, Hon'ble Members will intimate as early as possible any points which they may desire to raise, in order that information may be collected regarding the same.

N. D. BEATSON BELL.

BUDGET OF THE GOVERNMENT OF BENGAL, 1917-18.

PART I.—General Review.

(1) ACCOUNTS FOR 1915-16.

WHEN the revised estimate for 1915-16 was laid before the Council on the 27th March 1916, the receipts of the year were estimated at Rs. 6,26,31,000 and the charges at Rs. 6,40,01,000, while the anticipated closing balance was Rs. 2,58,90,000. The accounts of the year, which have now been finally closed, show that the actual receipts amounted to Rs. 6,34,59,998 and the charges to Rs. 6,28,01,186, while the closing balance was Rs. 2,79,19,135. The receipts were therefore better by Rs. 8,28,998, this improvement having occurred chiefly under Land Revenue (Rs. 3,33,815) mainly under Collections from Government estates owing to larger collections of arrears and better conditions in the jute trade; Stamps (Rs. 1,18,670) due to higher probate duties; Excise (Rs. 1,40,074) chiefly through gains from sale-proceeds of excise opium and duty on *ganja*; Income-tax (Rs. 2,13,306) under Ordinary collections owing to increased advance payments made in the latter part of the year, and Scientific and Miscellaneous Departments (Rs. 84,849) through larger sales of quinine. The actual expenditure was less by Rs. 11,99,814 chiefly under Courts of Law (Rs. 2,28,890) owing to smaller charges under Fees to pleaders in criminal cases; Police (Rs. 1,22,217) as a result of savings under Police force and Contingencies of the District Executive Force; and Education (Rs. 4,77,586) due to savings in the grant for Colleges—Professional and in Imperial grants.

(2) REVISED ESTIMATE, 1916-17.

2. The revised estimate for 1916-17, as now passed by the Government of India on the basis of the actuals of the first eight, nine and in some cases ten and eleven months of the current year, is compared below with the sanctioned estimate for the year:—

	Sanctioned estimate.	Revised estimate.	Better (+) or worse (—).
	Rs.	Rs.	Rs
Opening balance ...	2,58,90,000	2,79,19,000	+20,29,000
Revenue receipts ...	5,85,74,000	6,30,27,000	+44,53,000
Transfers between Imperial and Provincial Revenues ...	+34,30,000	+23,90,000	—10,40,000
Total receipts ...	6,20,04,000	6,54,17,000	+34,13,000
Grand Total ...	8,78,94,000	9,33,36,000	+54,42,000
Total expenditure ...	6,17,97,000	6,06,57,000	+11,40,000
Closing balance ...	2,60,97,000	3,26,79,000	+65,82,000

3. The decrease under Transfers between Imperial and Provincial Revenues is due to larger transfers from Provincial to Imperial Revenues as well as to other changes shown below :—

	Rs.	Rs.
Deduct—		
Additional contribution to Imperial in connection with the increased taxation under the new Income-tax Act	—12,10,000	
Additional contribution to Imperial for increased rate of duty on foreign liquor	—22,000	
Withdrawal of contribution from Bihar and Orissa for fishery experiments ...	—6,000	
Withdrawal of contribution to meet charges of Lieutenant-Colonel Sutherland's deputation for serological enquiry which is now Imperial	—35,000	
Withdrawal of contribution from Bihar and Orissa towards the pay of the electric staff	—8,000	
		—12,81,000
Add—		
For adjustment of erroneous credit of collections from Government estates under ordinary collections in the past two years	+1,66,000	
Larger contribution for cost of supplying forms to Assam Administration	+43,000	
Assignment for provincialization of the amalgamated establishment employed in the audit of accounts of local authorities in Calcutta ...	+11,000	
Assignment for classification of rewards on confiscation of opium under Excise	+21,000	
		+2,41,000
		—10,40,000

4. The principal fluctuations under the Revenue heads are noticed briefly below. The improvements aggregate Rs. 52,61,000 and are chiefly under the following heads :—

Land Revenue—(Rs. 2,73,000), due to better collections from Government estates owing to the prosperous condition of the jute trade.

Stamps—(Rs. 10,50,000), due to larger sales of both general and court-fee stamps.

Income Tax—(Rs. 26,60,000), owing to unusually large profits earned by jute mills, companies and firms, particularly those engaged in the supply of war materials, in 1915-16, which came under assessment in 1916-17.

Forests—(Rs. 90,000), as larger receipts are expected from unsold timber in Buxa and the Sundarbans.

Registration—(Rs. 90,000), due to increase in the number of registrations.

Law and Justice—Courts of Law—(Rs. 54,000), partly owing to larger receipts from court-fees realized in cash and partly to larger fines in Magisterial Courts.

Jails—(Rs. 2,49,000), owing to unusally large supplies to the Military and Police Departments.

Sanitation—(Rs. 81,000), from the contributions of Rs. 50,000 and Rs. 30,600 from the Indian Research Fund Association for financing Dr. Bentley's schemes of anti-malarial measures and for testing vital statistics, respectively.

Scientific and Miscellaneous Departments—(Rs. 2,28,000), due to larger supplies of quinine to the Military and other departments.

Miscellaneous—(Rs. 85,000), due to recoveries on account of famine expenditure for which no provision was made in the budget.

Irrigation—Minor Works and Navigation in charge of the Public Works Department—(Rs. 78,000), chiefly from Navigation receipts from the Madaripur Bhil Route.

Civil Works in charge of the Public Works Department—(Rs. 87,000), chiefly from recovery of Government share of the profits of the Darjeeling-Himalayan Railway for 1915-16 and partly from special receipts derived from the sale of Bally brick-field.

Civil Works in charge of the Civil Officers—(Rs. 1,12,000), being refunds of grants made to the Narayanganj and other Municipalities for water-works, etc.

Under the following heads, on the other hand, the revenue decreased to the extent of Rs 8,08,000 :—

Excise—(Rs. 5,50,000), due to diminished consumption owing to the continuance of high prices caused by the war as explained in paragraph 15 below.

Ports and Pilotage—(Rs. 2,20,000), owing to smaller receipts from pilotage due to decrease in the number of vessels visiting the port of Calcutta.

5. On the expenditure side the revised estimate shows a total decrease of Rs. 25,66,000, which is chiefly under the following heads :—

Forests—(Rs. 64,000), mainly due to smaller expenditure under communications and buildings and also under timber and other produce removed from forests by consumers and purchasers.

Law and Justice—Courts of Law—(Rs. 82,000), chiefly under fees to pleaders in criminal cases in Calcutta.

Ports and Pilotage—(Rs. 1,62,000), chiefly owing to the dislocation of sea-borne trade which reduced the earnings of pilots, smaller expenditure under salaries and allowances of officers and men afloat, and decreased purchase of marine stores and coal, owing to the transfer of the steamer *Guide* to the Port Commissioners, Calcutta.

Education—(Rs. 6,12,000), owing to savings in the Imperial grants and the grant to the Calcutta University for hostel buildings.

Scientific and Miscellaneous Departments—(Rs. 1,81,000), due to the postponement of the appointment of the Director of Industries and the withholding of grants for the development of industries pending the report of the Industrial Commission, and also to smaller expenditure under Fisheries, Gazetteers and Inspectors of Factories.

Superannuation—(Rs. 81,000), owing to fewer payments for the commutation of pensions.

Stationery and Printing—(Rs. 86,000), due to savings in the Government Presses and in the contingencies of the Jail Press and Forms Department.

Miscellaneous—(Rs. 8,51,000), due to the adjustment of grants made by His Excellency to the appropriate heads, to the re-appropriation of the reserve provision to meet expenditure under other heads, to the transfer of charges for grain allowance to the different departments by reappropriation from the lump grant under this head and to the transfer of a portion of the grant for gratuitous relief to the head Famine Relief to meet charges under that head.

Civil Works in charge of Civil Officers—(Rs. 3,38,000), as the amount estimated for grants to the District Boards for the augmentation of their resources was in excess of requirements.

On the other hand there is a total increase in expenditure of Rs. 14,26,000, of which the most noticeable items are—

Refunds and Drawbacks—(Rs. 85,000) for larger refunds of Income-tax.

Jails—(Rs. 3,10,000), for increased expenditure under dietary charges and larger purchase of raw materials for the manufacture of supplies to the Military and Police Departments.

Police—(Rs. 1,15,000), mainly for larger expenditure in the Criminal Investigation Department and under Supplies and Services and contingencies of the District Executive Force

Political—(Rs. 2,54,000), due to the payment of personal allowances and family allowances to detenus under the Defence of India Act and charges in connection with State prisoners and the Ingress into India Ordinance detenus.

Famine Relief—(Rs. 1,48,000), due to larger expenditure in the district of Bankura than was anticipated.

Civil Works in charge of the Public Works Department—(Rs. 3,40,000), owing to additional grants for Educational, Jail and Police buildings and for the repairs of roads in the Darjeeling and Jalpaiguri districts by transfer from other departments.

6. The net result of these changes is that the closing balance of 1916-17, which was estimated at Rs. 2,60,97,000 in March 1916, is now estimated at Rs. 3,26,79,000. The increase is partly due to the increase in the opening balance, partly to the increase in receipts and partly to a decrease in expenditure as mentioned above.

(3) BUDGET ESTIMATE, 1917-18.

7. The opening balance of 1917-18 is the closing balance of 1916-17, and is therefore Rs. 3,26,79,000.

8. The estimates of the year, as approved by the Government of India, show receipts aggregating Rs. 6,65,99,000, expenditure of Rs. 6,77,20,000 and a closing balance of Rs. 3,15,58,000. A portion of the estimated closing balance is earmarked for special expenditure as follows :—

	Rs.
Minimum balance	20,00,000
Balance of the discretionary grant	6,97,000
Balance of the Imperial grant for Education ...	98,44,000
Ditto ditto Medical purposes	4,30,000
Ditto ditto Sanitation ...	62,55,000
Ditto ditto the reorganization of the Subordinate Police and River Police in the Eastern Bengal (non-recurring) ...	4,52,000
Ranchi Lunatic Asylum	23,50,000
Amount earmarked for Provincial equipments for the three years as promised	24,00,000
Balance of the grant promised to Belgachia Institution	1,50,000
Total ..	2,45,78,000

The difference between Rs. 3,15,58,000 and 2,45,78,000 = Rs. 69,80,000 is the Provincial balance available for new expenditure in the future.

9. It has again been found impossible to provide for the regrant of unspent balances of the Imperial grants for Education, Sanitation, Discretionary grant, etc. The recurring provision for the Dacca University (Rs. 5,45,000 recurring and Rs. 1,00,000 non-recurring for five years), has been omitted, and a provision of 2½ lakhs only has been made in the budget for grants for sanitary improvements against 9½ lakhs, the recurring allotment.

10. The total estimated charges for 1917-18, however, amount to Rs. 6,77,20,000, which is in excess of the income by Rs. 11,21,000, and

rovision has been made for the following noticeable non-recurring ems :—

	Rs.
Grant for gratuitous relief	1,00,000
For new works of the Police Department in connection with the reorganization of the Eastern Bengal Police	3,00,000
For works in progress of the Police Department in connection with the reorganization of the Eastern Bengal Police	1,00,000
For Police buildings, and non-recurring expenditure in connection with the partition of Midnapore and Mymensingh	16,36,000
For construction of thana launches and floating thanas for the River Police in Eastern Bengal	78,642
For additional buildings in the Bethune College	40,000
Salaries, establishment and other charges of the Press Censors	45,000
Charges under the Defence of India Act ...	75,000
Additional grant to the Calcutta University for hostel buildings in Calcutta	3,39,000
Construction of steam-launches for the River patrols of the Presidency Police	2,10,000
Personal and family allowances of detenus under the Defence of India Act	2,00,000

11. A schedule is attached showing the new schemes costing indivi- ially more than Rs. 5,000 in any one year which have been included the budget. The non-recurring charges on account of these schemes nount to Rs. 10,95,646, and the recurring charges to Rs. 11,79,080. sides these, the budget includes certain new schemes of a more o less tty nature and also certain non-recurring charges as follows :—

	Non-recurring. Rs.	Recurring. Rs
Land Revenue—		
Increase in the rate of pay of temporary certificate muharrirs ...	..	2,000
Record-room establishment at Dacca for settlement records ...	5,000	...
Compass survey of the Chittagong Hill Tracts	8,910	...
Purchase of bicycles for the Collectorate offices of Hooghly and Midnapore	510	...
Purchase of a boat for the Collector of Rajshahi	500	.
Subdivisional establishment, Kalimpong	..	3,000
Rent of telephone lines, Howrah and Jalpaiguri	...	899
Total ...	14,920	5,899
Excise—		
Temporary establishment for increased supervision of the Ganja Mahal (Nowgaon) during the manufacturing season ...	1,000	...
Registration—		
Provision for new Sub-Registry offices	3,600	..
General Administration—		
Provincialisation of the outside audit section of the Accountant-General's office	...	22,000
Allowance for equipment and voyage of the new Governor ...	15,000	...

	Non-recurring. Rs.	Recurring. Rs.
General Administration—concluded.		
Inauguration grant for the renewal of furniture for His Excellency's residences	30,000	...
Additional advance grant for curtains and covers for furniture for Government houses	7,935	...
Purchase of two motor-cars for the new Governor, including freight	21,950	...
Additional Secretary and Under-Secretary in the Political and Appointment Departments ...	54,720	...
Additional Secretary's exchange compensation allowance ...	2,300	...
Press Censor and his establishment, etc.	45,000	...
Additional Under-Secretary, Financial Department	11,520	...
Subscription to the "Indian News Agency" telegrams	2,880	...
Total ...	1,91,305	22,000
Law and Justice—Courts of Law—		
Establishment for Public Prosecutor, Northern Division Police Court	...	1,128
Appointment of six clerks for the Civil Courts in Rangpur ...	...	1,800
Establishment and contingencies of the second Municipal Magistrate, Calcutta	...	1,800
Increased grant for Additional Legal Remembrancer and his establishment	...	40,000
Increase of pay of the Receiver's office establishment	...	2,369
Total ...	...	47,097
Jails—		
Appointment of four temporary Assistant Jailors in the Central Jails	2,400	...
House-allowance for four temporary Assistant Jailors	720	...
Increased grant for the purchase of raw materials	1,40,000	
Increased grant for the expansion of the blanket factory at Dacca and the quinine industry in Alipore Juvenile Jail	48,600	...
Allowances to a Roman Catholic Chaplain, Alipore Central Jail ...	...	1,800
Subsidiary Jail establishment, Kalimpong	...	1,248
Total ...	1,91,720	3,048
Police—		
Temporary establishment for the Passport and Pass Departments ...	1,920	...
Additional establishment for Calcutta Police Press	...	1,716
Purchase of spare parts of Prison vans	3,000	...
Appointment of one Indian Sub-Inspector for the Mounted Police and grant of local allowances to Mounted Police Sergeants ...	...	3,870

	Non-recurring.	Recurring.
Police—continued.	Rs.	Rs.
Escort charges of prisoners dealt with under the Defence of India Act	10,000	...
Officers on special duty in the office of the Inspector-General of Police ...	8,400	...
Local and conveyance allowances for ditto	2,880	...
Increased grant for secret service money for Criminal Investigation Department	30,000	...
Pay of a temporary steno-typist for the Howrah Police ...	1,800	...
Increased grant for rewards to informers	25,000	...
Increased grant for general police rewards	3,000	...
Entertainment of paid probationers in District Police offices ...	...	3,660
Entertainment of Sub-Inspector for Bandel Railway police-station on the East Indian Railway ...	...	1,084
Annual subsidy for the upkeep of the Darjeeling District Police band	...	400
Entertainment of four additional clerks for the Bakarganj Police office	...	1,870
Supply of guards to the Volunteer Armoury at Chasara and at Ramna, Dacca	390	1,365
Employment of a station boat at Saturia police-station, Dacca ..	216	1,353
Splitting up the jurisdiction of Narayanganj police-station, Dacca	551	2,709
Strengthening of Court staff at Manikganj, Dacca	43	1,011
Redistribution of jurisdiction of Raipur and Monohardi police-stations at Dacca	405	1,745
Entertainment of a Circle Inspector and Court staff for new sub-division at Kalimpong ...	345	4,382
Establishment of a road post at Kalimpong Road	258	1,041
Introduction of town beat system at Rajbari, Faridpur	294	1,431
Conveyance allowances of Superintendents of Police, Howrah and Dacca	...	2,880
Local allowance to Assistant Commandant, Buxa Duars Detachment, Dacca Military Police ...	...	600
Local allowance to Drill Instructor, Police Training College, Sarda ...	...	600
Investigating centre at Saturia, Manikganj	...	2,859
Entertainment of a permanent Sub-Inspector for the Town Police work at Serajganj	...	840
Pay of a driver and running expenses of the motor-car provided for the use of Indian officers of Intelligence Branch	...	2,400

	Non-recurring.	Recurring.
	Rs.	Rs.
Police—continued.		
Charges for assistance rendered by vessels of Rivers Steam Navigation Company and the India General Navigation and Railway Company to the launches of the Police Department when aground in the waterways of Bengal ...	...	500
Splitting up the jurisdiction of Khulna police-station ...	991	3,009
Entertainment of writer head-constables for subdivisional police offices	734	2,912
Investigating centre within jurisdiction of Kathiadi police-station, Mymensingh	492	2,556
Investigating centre within jurisdiction of Kendua police-station, Mymensingh	276	1,591
Increase of Court staff at Mymensingh	...	1,100
Appointment of a 2nd Circle Inspector, Kishoreganj, Mymensingh	86	2,398
Raising the ultimate strength for reconstitution of Sherpore Town Police, Mymensingh	907	2,985
Raising the ultimate strength for reconstitution of Jamalpur Town Police, Mymensingh	950	3,083
Strengthening of the prosecuting staff, Comilla Court	73	1,621
Redistribution of jurisdiction of Nabinagar police-station, Tippera	184	649
Conveyance allowance to officers of the Intelligence Branch ...	...	2,000
Grant of an allowance to the Lecturer of the Government Commercial Institute at Bowbazar, Calcutta, for training of Sub-Inspectors in shorthand and typewriting ...	...	2,100
Raising the pay of manjhis and mallas attached to pansway boats in Faridpur, Mymensingh and Bakarganj	...	408
Appointment of a Sub-Inspector as chief gymnastic instructor in the Police Training College, Sarda ...	...	480
Appointment of an European Armed Inspector for the Intelligence Branch	...	3,300
Police arrangements on the Sara-Serajganj Railway	...	3,694
Entertainment of compounders for police hospitals at Jessore, Dinajpur, Rangpur, Jalpaiguri, Chittagong and Faridpur	...	1,080
Establishment of telephone connections in the town outposts at Narayanganj	...	768
Maintenance of electric fittings and cost of current supplied to the office of the Intelligence Branch, Criminal Investigation Department	...	1,100

	Non recurring	Recurring.
Police—concluded.	Rs.	Rs.
Construction of a new boat for Superintendent of Police, Malda ...	4,000	...
Splitting up the jurisdiction of Nalitabari police-station, Mymensingh	319	1,907
Total ...	97,514	77,057
Ports and Pilotage—		
War bonus to junior Engineers of the pilot vessels	1,900	...
Appointment of Assistant Port Officer and Deputy Shipping Master, Calcutta	...	3,960
Total ...	1,900	3,960
Education—		
Duty allowance of the Principal, Presidency College	...	1,800
Local allowances for the Bursar and the Dean of ditto	...	3,000
Additional Indian Educational Service Officer for the Presidency College	...	6,000
Appointment of an Urdu teacher and a qari on Rs. 50 each for the Arabic Department, Calcutta Madrasah	...	1,200
Raising the status of the middle vernacular school attached to Chittagong Normal School ...	...	780
Masters for the Dacca and Chittagong Government Moslem High Schools	...	20,148
Additional Professor, Chittagong College	...	3,900
Construction of servants' quarters and latrine, etc., Bethune College	10,000	...
Grant for Calcutta hostels ...	3,39,000	...
Local allowance of the Head Master, Victoria Boys' School ...	...	1,800
Local allowance of the Head Mistress, Dow Hill School ...	...	1,800
Provision for the revival of the survey classes at the Dacca School of Engineering	...	1,000
Total ...	3,79,000	44,428
Medical—		
Lump grant to the Belgachia Medical Institution	3,50,000	...
Appointment of an Additional Demonstrator for Medical College	...	1,320
Revision of the establishment of the Dacca Lunatic Asylum ...	...	1,089
Appointment of a clerk and two chaukidars for the Dacca Medical School	...	588
Appointment of trained nurses for the Sambhu Nath Pandit Hospital	...	900
Total ...	3,50,000	3,897

	Non-recurring. Rs.	Recurring. Rs.
Sanitation—		
Experiment in testing vital statistics	6,250	...
Charges on account of Dr. Bentley's sanitary scheme of sub-soil drainage	30,000	...
Establishment for investigation in diabetes	12,000	...
Total ...	48,250	...
Agriculture—		
Arrear increments of pay of veterinary assistants prior to their transfer to Provincial Service ...	7,160	...
Additional grants for silk experiments and researches ...	15,700	...
Total ...	22,860	..
Scientific and Miscellaneous Departments—		
Grant to Darjeeling Museum ...	...	5,000
Charges for afforestation and cultivation of Ipecacuanha ...	3,500	...
Appointment of a Sub-Assistant Surgeon for Mungpoo plantation	...	840
Construction of a bungalow for the Assistant Superintendent of Emigration at Goalundo and removal of office to a different site	3,700	...
Total ...	7,200	5,840
Miscellaneous—		
Donation for relief of distress ..	1,00,000	...
Irrigation—Minor Works and Navigation—		
Projects for mitigating the effects of the floods of the Damodar, Ajai and other rivers ...	2,50,000	...
Erecting a spill from the Bidyadhari river	16,300	...
For completing the improvements to the Lower Kumar river ...	75,000	...
For completing the works in connection with the new embankment along the Bhil Channel ...	1,65,000	...
Renewal of flood gate of the Bhaitghar lock	15,000	...
Total ...	5,21,300	
Provincial share of above ...	2,60,650	

12. Appendix C shows the transactions of District Funds and Distric Road Fund, Darjeeling. This statement does not form any part of the Pro vincial Budget, but is annexed thereto for convenience of reference.

PART II.—Detailed remarks on the budget for 1917-18

RECEIPTS.

13. *Land Revenue.*—The total collections in 1915-16 amounted t Rs. 2,98,96,600. and the estimate for 1917-18, as passed by th Government of India, is Rs. 3,06,09,000 against Rs. 3,04,69,000, th revised estimate for 1916-17. The estimate includes Rs. 27,50,000 fo recoveries of Survey and Settlement charges against Rs. 27,00,000, th revised estimate for 1916-17.

14. The estimated Provincial share of Land Revenue is calculated as follows :—

	Estimate, 1916-17.	Revised estimate, 1916-17.	Estimate, 1917-18.
	Rs.	Rs.	Rs.
Gross Land Revenue ...	2,97,99,000	3,04,69,000	3,06,09,000
Deduct—Estimated collections from Government estates (wholly Provincial) ...	45,00,000	48,00,000	48,50,000
Deduct—Recoveries of cost of maintenance of boundary pillars (wholly Provincial)	4,000	1,000	1,000
Deduct—Recoveries of Survey and Settlement charges (wholly Imperial) ...	22,78,000	27,00,000	27,50,000
Total Deductions ...	67,82,000	75,01,000	76,01,000
Net amount divisible between Imperial and Provincial revenues	2,30,17,000	2,29,68,000	2,30,08,000
Provincial share, one-half ...	1,15,08,000	1,14,84,000	1,15,04,000
Add—Collections from Government Estates (wholly Provincial)	45,00,000	48,00,000	48,50,000
Add—Recoveries of cost of maintenance of boundary pillars (wholly Provincial)	4,000	1,000	1,000
Total Provincial receipts ...	1,60,12,000	1,62,85,000	1,63,55,000

The increase under Collections from Government estates in 1916-17 is due to the prosperous condition of the jute trade. As for the increase in 1917-18 larger receipts are expected in the districts of Jalpaiguri and Bakarganj.

15. *Stamps.*—The revenue from Stamps for 1916-17 was estimated at Rs. 2,24,00,000. The actuals in 1915-16 amounted to Rs. 2,24,37,340, and the collections in the first nine months of 1916-17 show an increase of Rs. 20,39,000, owing to the large business in tea and jute and to the realization of larger death duties, as compared with the actuals of the corresponding period of the preceding year. In view of these figures the revised estimate for 1916-17 has been provisionally placed at Rs. 2,45,00,000. Allowing for a progressive increase of 8 lakhs, the estimate for 1917-18 has been passed for Rs. 2,53,00,000. The Provincial share is one-half, and amounts to Rs. 1,22,50,000 for 1916-17 and Rs. 1,26,50,000 for 1917-18.

16. *Excise.*—The budget estimate of the total revenue under this head for 1916-17 was passed at Rs. 1,50,50,000. The actuals in 1915-16 amounted to Rs. 1,51,40,074, and those in the first eleven months of 1916-17 show a decrease of Rs. 5,66,000 as compared with the actuals of the corresponding period of the preceding year; the revised estimate for 1916-17 has been placed at Rs. 1,45,00,000. The total consumption of country spirits in this Presidency up to December 1916 amounted to 448,377 proof gallons against 475,999 proof gallons in the corresponding period of the preceding year, showing a decrease of 27,622 proof gallons. The decrease was mainly due to the continuance of the economic depression and high prices caused by the war. Similarly there is a decrease of consumption in *ganja* of 512 seers and opium of 4,905 seers in the first nine months. The decrease is due to an increase in retail prices. During the continuance of the war the receipts under this head are not expected to rise much, but allowing for a small improvement of 1 lakh the estimate for 1917-18 has been placed at

Rs. 1,46,00,000. These estimates include the income from new taxation liquors imposed under notification dated the 6th March 1916, which w estimated to bring in an increase of Rs. 50,000 in 1916-17 ; this is nc estimated at Rs. 72,000 for both the years 1916-17 and 1917-18.

17. *Provincial Rates.*—The collections from the Public Works cess ha been surrendered to District Boards with effect from the 1st April 1913, b the arrears of 1912-13 and the preceding years are still under collectio These amounted to Rs. 29,219 in the first eight months of 1916-17, and tl revised estimate for these collections has been placed at Rs. 40,000. It anticipated that no arrears will be left for collection in 1917-18. Und General Rates for the management of private estates the estimate of receip for 1917-18 is Rs. 1,18,000 against Rs. 1,05,000, the revised estimate f 1916-17, and Rs. 1,06,171, the actuals of 1915-16.

18. *Income Tax.*—The budget estimate for 1916-17 was Rs. 1,06,80,00 The actual collections in 1915-16 amounted to Rs. 72,26,611, and tl collections in the first eleven months of the year 1916-17 showed a increase of Rs. 85,03,000 over those of the corresponding period last year. Though the estimate under this head was carefully prepared, was not realized that the profits of companies and firms, particularly thos engaged in the supply of war materials, would reach the enormous figures whic the accounts of their working in the year 1915-16 have shown. It is no expected that the total receipts from this source will exceed the estimat by Rs. 53,20,000. The revised estimate for 1916-17 has been placed a Rs. 1,60,00,000. The coal and jute trades continue to exhibit marked prosperit and very high profits, and an increase of 20 lakhs is anticipated in 1917-1 The estimate for 1917-18 has accordingly been placed at Rs. 1,80,00,000. Th Provincial share is one-half, and amounts to Rs. 80,00,000 and Rs. 90,00,00 for 1916-17 and 1917-18, respectively. In framing the estimate for 1916-1 it was calculated that the increase in revenue due to enhanced taxatio would amount to Rs. 40,80,000, and as the increased taxation wa intended for the benefit of Imperial revenues, an assignment Rs. 20,40,000 from Provincial to Imperial revenues was entered i the budget for 1916-17. In March last the Government of India decide that the amount of this assignment would be liable to revision whe normal financial conditions are restored, and it was possible to fram a reliable estimate of the normal yield from the enhanced taxatio In view, however, of the very large increase in the revenue the Loca Government did not feel justified in adhering to the assignment whic was fixed in March last, and therefore decided to hand over at onc to Imperial revenues the benefit of the enhanced taxation. The assign ment, one-half of the amount of revenue due to the enhanced taxatio has now been calculated at Rs. 32,50,000 for 1916-17, and this amoun has been shown under "Transfers between Imperial and Provinci revenues in 1916-17." The amount due to enhanced taxation in 1917-1 has also been calculated at Rs. 78,00,000, and the assignment to th Imperial revenues has been placed at 39 lakhs in accordance with thi calculation.

19. *Forests.*—The total receipts under this head for 1916-17 wer estimated at Rs. 11,50,000 against Rs. 11,45,610, the actuals of 1915-16 The collections in the first eleven months of 1916-17 show an increase o Rs. 75,000 as compared with those of the corresponding period of last yea and the revised estimate for 1916-17 has been placed at Rs. 12,40,000 The Conservator expects some increase in the current year from unsol stock in Buxa and the Sundarbans, while he anticipates larger sales nex year from the improvement in the timber market. Allowing for a increase of Rs. 60,000 in 1917-18, the estimate has been placed a Rs. 13,00,000.

20. *Registration.*—The budget estimate for 1916-17 was Rs. 20,50,00 against Rs. 20,36,068, the actuals of 1915-16. The actual collections i the first nine months of the year 1916-17 amounted to Rs. 14,37,475 and for the remaining three months of the year the receipts have bee taken at Rs. 7,02,525, and the revised estimate has been placed a Rs. 21,40,000. The increase is attributed to the prevailing high prices whic

have increased registration. The Inspector-General anticipates an increase of revenue in 1917-18, and allowing for an increase of Rs. 60,000 the estimate for the year has been passed for Rs. 22,00,000.

21. *Interest.*—The estimate of loans provides for a return by way of interest during 1917-18 of Rs. 5,88,000 against Rs. 6,16,000 in 1916-17 as shown below :—

	Revised estimate, 1916-17	Estimate, 1917-18
	Rs.	Rs.
Interest on advances to cultivators, etc.	1,33,000	1,20,000
Interest on advances to Co-operative Societies	2,000	2,000
Interest on drainage and embankment advances	9,000	9,000
Interest on loans to landholders ...	1,50,000	1,50,000
,, ,, ,, ,, Municipalities and District Boards, etc. ...	2,95,000	2,94,000
Interest on Government securities	12,000	12,000
Miscellaneous	15,000	1,000
Total ...	6,16,000	5,88,000

Nothing is expected from interest on arrears of the Public Works cess in 1917-18, as the arrears not paid before the localization of the Public Works cess are expected to be realized in 1916-17. The arrears of 1913-14 with the interest are surrendered to District Boards. This explains the decrease under sub-head Miscellaneous.

22. *Law and Justice—Courts of Law.*—The actuals in 1915-16 amounted to Rs. 8,43,999, while the receipts in the first nine months of 1916-17 show an increase of Rs. 16,420 over those of the corresponding period of last year. The increase is chiefly under Fees, Fines and Forfeitures and partly under Court-fees realized in cash. The revised estimate for 1916-17 has been placed at Rs. 8,84,000, and the estimate for 1917-18 has been passed for Rs. 8,82,000.

23. *Jails.*—The actuals in 1915-16 amounted to Rs. 9,09,148, and those in the first eight months of 1916-17 show an increase of Rs. 72,784 as compared with those of the corresponding period of that year, and the revised estimate for 1916-17 has been placed at Rs. 10,51,000. The increase is due to larger supplies to the Military and Police Departments. As it is expected that the supplies to the Military Department will continue to be even larger during the ensuing year, the estimate for 1917-18 has been passed for Rs. 11,02,000.

24. *Police.*—The budget estimate for 1916-17 was Rs. 1,67,000 against Rs. 1,90,866, the actuals of 1915-16. The receipts in the first nine months of 1916-17 showed an increase of Rs. 8,368 over those of the corresponding period of last year on account of larger receipts from the Motor-cycles Act, and the revised estimate for 1916-17 has been placed at Rs. 1,75,000. The estimate for 1917-18 is Rs. 1,71,000.

25. *Ports and Pilotage.*—The actuals in 1915-16 amounted to Rs. 13,49,562, while the budget estimate for 1916-17 was originally passed for Rs. 14,25,000. The actual collections in the first nine months amounted to Rs. 9,53,065, and for the last three months of the year the receipts have been taken at Rs. 2,51,935, and the revised estimate has been placed at Rs. 12,05,000. The decrease is chiefly under Pilotage receipts and is due to the reduction in the number of vessels entering and leaving the Calcutta port caused by the dislocation of trade owing to the war and partly also under Miscellaneous, as the charges on account of the working expenses of the Government steamer *Guide* at the rate of Rs. 6,000 per mensem was no longer credited to this Government, owing to the return of the vessel from Port Blair service with effect from the 12th June 1916. The estimate for 1917-18 has been passed for Rs. 11,81,000.

26. *Education.*—The actuals in 1915-16 amounted to Rs. 8,86,574, and the budget estimate for 1916-17 was Rs. 9,05,000. This has been

raised to Rs. 9,32,000 in the revised estimate with reference to actuals of the first nine months of the current year, which amour to Rs. 6,58,979 against Rs. 5,95,623 obtained in the corresponding pe of last year. The estimate for 1917-18 has been passed for Rs. 9,28, and includes larger collections from "Schools—General."

27. *Medical.*—Under the orders of the Government of India the h "Medical" has now been divided into two heads—"Sanitation" sanitation and vaccination receipts and "Medical" for all other receipt that department The medical budget estimate for 1916-17 was Rs. 3,69, against Rs 3,59,574, the actuals of 1915-16 The actual collections in first eight months show a small increase under Medical College fees hospital receipts and the revised estimate has been raised to Rs. 3,71,(The budget for 1917-18 has been passed for Rs. 3,62,000.

28. *Sanitation.*—The budget estimate for 1916-17 under this h may be taken at Rs 12,000, but Rs. 81,000 has been credited Provincial revenues on account of a grant of Rs. 50,000 from Indian Research Fund Association for experiments of sub-soil drain as an anti-malarial measure, and also of Rs. 30,600 from the sa fund for testing vital statistics. The revised estimate for 1916 will stand at Rs. 93,000. The estimate for 1917-18 has been pla at Rs. 12,000 which was the budget estimate for 1916-17.

29. *Agriculture.*—The budget estimate for 1916-17 was Rs. 94,(against Rs. 1,01,156, the actuals of 1915-16. The collections in first eight months of 1916-17 show an increase of Rs. 14,952 o those of the corresponding period of last year, but it has been deci that the receipts from "Seed stores" will be adjusted in reduction expenditure, and both the revised estimate for 1916-17 and the bud for 1917-18 have been placed at Rs 1,05,000.

30. *Scientific and Miscellaneous Departments.*—The budget estimate 1916-17 was Rs. 5,22,000 against Rs. 6,01,849. the actuals of 1915- The actuals in the first eight months amounted to Rs. 4,44,509, of wh Rs. 4,07,847 represented the sale-proceeds of cinchona and its produ against Rs. 4,70,000, the estimate for the whole year. The increase due to larger supplies of quinine to the Military Department, and as th is a large demand for the supply of this medicine, the revised estim for 1916-17 has been placed at Rs. 7,50,000, of which 7 lakhs repres the receipts from cinchona and its preparations. As large supplies expected to continue in 1917-18, the estimate for that year has b passed for Rs. 7,81,000, including Rs. 7,32,400 from cinchona.

31. *Receipts in aid of superannuation.*—The budget estimate for 1916 was Rs. 56,000 against Rs. 54,583, the actuals of 1915-16. The actu of the first eight months for 1916-17 tend to show that the estim for the year will be realized, and both the revised estimate for 1916 and the estimate for 1917-18 have been passed for Rs. 56,000.

32. *Stationery and Printing.*—The estimate for 1916-17 was Rs. 1,27,(against Rs. 1,33,395, the actuals of 1915-16. The actuals of the fi nine months of 1916-17, however, show an increase of Rs. 18,146 over th of the corresponding period of last year, and the revised estimate been placed at Rs. 1,43,000. The budget estimate for 1917-18 Rs. 1,38,000.

33. *Miscellaneous.*—The receipts for 1916-17 were estimated Rs. 6,52,000 against Rs. 6,65,208, the actuals of 1915-16. which inclu Rs. 5,42,506 from Unclaimed deposits. The budget estimate under t sub-head was Rs. 5,50,000, but in the revised estimate this has b reduced to Rs. 5,38,000; the total receipts have however been raised Rs. 7,37,000 including Rs. 90,000 expected as recoveries of famine exp ture by sale-proceeds of *khud* rice and manufactures by weavers un relief. The estimate for 1917-18 is Rs. 6,58,000, and includes Rs. 5,50,(for Unclaimed deposits and nothing for recoveries of famine expenditure

34. *Irrigation—Major Works (Direct Receipts).*—The budget estim for 1916-17 was Rs. 2,57,000 against Rs. 2,78,079, the actuals of 1915- The collections in the first nine months of 1916-17 show an increase Rs. 10,698, and the revised estimate has been placed at Rs. 2,90,0

The increase is chiefly in receipts from the water rates of the Midnapore Canal, and is due to the area under lease being greater than was anticipated in the budget. It is not expected that the area under lease will remain the same in 1917-18. It is also reported that the Etamagra Lock is in urgent need of repairs and that Range (1) of the Hijili Canal will be closed for traffic, and some falling off might be expected from these in 1917-18. The budget for 1917-18 has accordingly been passed for Rs. 2,68,000. The Provincial share is one-half, and amounts to Rs. 1,45,000 for 1916-17 and Rs. 1,34,000 for 1917-18.

35. *Irrigation—Minor Works and Navigation in charge of the Public Works Department.*—The budget estimate for 1916-17 was Rs 6,20,000 against Rs. 6,27,729, the actuals of 1915-16. The actual collections in the first nine months of 1916-17 show an increase of Rs. 1,17,115, and the revised estimate for the year has been placed at Rs. 7,76,000. The increase occurs chiefly in the Navigation receipts of the Madaripur Bhil Route, and is attributed to increased traffic in jute from held-up stock, to the improvements recently carried out in the Lower Kumar at Char Maguria and to the construction of the bund and sluices in the south bank. The estimate for 1917-18 is placed at Rs. 7,60,000, as the special increase in 1916-17 may not continue next year.

36. *Civil Works in charge of the Public Works Department.*—The budget estimate for 1916-17 was Rs. 4,30,000 against Rs. 4,72,054, the actuals of 1915-16, which included Rs. 98,000 on account of the value of Secretariat racks dismantled at Dacca and credited to this head by debit to stock. Excluding this item the actuals of the first eight months of 1916-17 show an increase of 1 lakh, which is chiefly due to recovery of the Government share of the surplus profits of the Darjeeling-Himalayan Railway for 1915-16 amounting to Rs. 79,000 and to the progressive growth of rent of Government buildings. Rupees 18,000 is also expected to be realized from the sale of the Bally Brickfield to the East Indian Railway, and the revised estimate has been placed at Rs. 5,17,000. The estimate for 1917-18 has been placed at Rs. 4,30,000, which represents the normal receipts of the department.

37. *Civil Works in charge of the Civil Department.*—The budget estimate for 1916-17 was Rs. 1,59,000, but in the revised estimate this has been raised to Rs. 2,71,000. This includes Rs. 94,794 refunded from the grant of 1 lakh made to the Narayanganj Municipality for waterworks in 1914-15, as the municipality cannot take up the scheme at present. Refunds of Rs. 18,000 from other municipalities have also been credited. The budget estimate for 1917-18 is Rs. 1,59,000.

38. *Transfers between Imperial and Provincial Revenues.*—The estimate includes the following transfers from Imperial Revenues :—

	1916-17.		1917-18.
	Budget.	Revised.	Budget.
	Rs.	Rs.	Rs.
Contribution for Famine Relief Scheme	60,000	60,000	...
Grant to the Calcutta Improvement Trust	1,50,000	1,50,000	1,50,000
For classification of rewards on confiscation of opium under "7—Excise"	...	21,000	21,000
For provincialization of the amalgamated establishment employed in the audit of accounts of local authorities in Calcutta with effect from 29th September 1916 ...	...	11,000	22,000
Assignment for remission of appropriations of Public Works cess	24,93,000	24,93,000	24,93,000
Grant for Sanitary Improvements	5,00,000	5,00,000	5,00,000

	1916-17.		1917-18.
	Budget.	Revised.	Budget.
	Rs.	Rs.	Rs.
Contribution to meet charges of Lieut.-Colonel Sutherland's deputation for serological enquiry	35,000	...	...
Grant of one-half of the salaries of Health Officers in Municipalities	39,000	39,000	39,000
Contribution to meet the cost of Indian Deputy Sanitary Commissioners	19,000	19,000	19,000
For the Belgachia Veterinary College	30,000	30,000	30,000
For provincialization of salaries of the Civil Veterinary Department	29,000	29,000	29,000
Contribution from Bihar and Orissa in connection with Fishery experiments ..	6,000	...	2,000
Grant for Dacca University ...	45,000	45,000	45,000
Non-recurring grant for Dacca University for five years from 1914-15	1,00,000	1,00,000	1,00,000
Grant for Aided English Secondary Schools ...	1,50,000	1,50,000	1,50,000
Grant to the Church Missionary Society College, Calcutta ...	6,000	6,000	6,000
Grant for the extension of education among poorer classes of the domiciled community, Calcutta ...	40,000	40,000	40,000
Grant for the improvement of female education ...	30,000	30,000	30,000
Grant for the development of the work of the Calcutta University	65,000	65,000	65,000
Grants for education ...	22,20,000	22,20,000	22,20,000
,, ,, popular education	25,000	25,000	25,000
Further grant for education ...	1,50,000	1,50,000	1,50,000
Grant for the improvement of pay and training of teachers	...	...	9,00,000
Assignment in connection with Scientific Research by Sir J. C. Bose	32,000	32,000	32,000
For forms, etc., for the Assam Administration	1,50,000	1,93,000	2,00,000
Grant to the Chittagong Port Fund for five years from 1913-14	75,000	75,000	75,000
For adjustment of recovery claims of charges incurred by the Agent for Government Consignments	11,000	11,000	11,000
For cost of transmission of records by the revised procedure introduced under the Court-fees Act	6,000	6,000	6,000
For pension of title-holders ...	3,000	3,000	3,000
For remission of certain recoveries from local bodies ..	26,000	26,000	26,000
For adjustment of erroneous credit of collections from Government estates under ordinary collections in 1914-15 and 1915-16 ...	...	1,66,000	...

	1916-17. Budget. Rs.	1916-17. Revised. Rs.	1917-18. Budget. Rs.
For the amalgamation of the office of the Art Section of the Indian Museum with the Calcutta School of Art ...	1,000	1,000	1,000
For Traffic Registration Office, Bhairab Bazar	1,000	1,000	1,000
Contribution from the Bihar and Orissa Government towards the pay of the electrical staff	8,000	...	...
Total ...	65,05,000	66,97,000	73,91,000

The estimate also includes the following transfers from Provincial to Imperial Revenues :—

	1916-17. Budget. Rs.	1916-17. Revised Rs.	1917-18. Budget Rs.
Fixed adjustment under Provincial Settlement ...	7,28,000	7,28,000	7,28,000
Grant to Bihar and Orissa Government for grants to colleges	21,000	21,000	21,000
Grant to Bihar and Orissa for law charges formerly paid by this Government ...	15,000	15,000	15,000
Grant to Bihar and Orissa in connection with training of shoals in the Ganges ...	12,000	12,000	12,000
Grant to Bihar and Orissa for the construction of Ranchi Lunatic Asylum for Indians	..	...	1,50,000
Adjustment for premises No. 9, Hare Street	9,000	9,000	9,000
Assignment to Bihar and Orissa for the new Patna High Court	2,00,000	2,00,000	2,00,000
Assignment in connection with the new schemes of taxation (Income-tax) ...	20,40,000	32,50,000	39,00,000
Assignment in connection with the new schemes of taxation (Excise) ..	50,000	72,000	72,000
Total ...	30,75,000	43,07,000	51,07,000

The net assignments from Imperial Revenues are therefore—

	1916-17 Budget. Rs.	1916-17 Revised. Rs.	1917-18. Budget. Rs.
From Imperial to Provincial...	+65,05,000	+66,97,000	+73,91,000
,, Provincial to Imperial...	-30,75,000	-43,07,000	-51,07,000
Net ...	34,30,000	23,90,000	22,84,000

EXPENDITURE.

39. *Refunds and Drawbacks.*—The total Provincial expenditure in 1916-17 was originally estimated at Rs. 1,50,000, but in view of the actuals of the first nine months of the year this has been raised to Rs. 2,35,000 in the revised estimate for the year against Rs. 1,81,371, the actuals of 1915-16. The increase is due to special refunds under

Land Revenue, Income Tax and Excise. The budget for 1917-18 has been passed for Rs. 1,63,000.

40. *Assignments and Compensations.*—The budget for 1916-17 was Rs. 35,000, but this has been raised to Rs. 41,000 in the revised estimate with reference to the actuals of the first nine months of 1916-17. There is an increase chiefly under *Malikana*, which is a fluctuating item. The budget for 1917-18 has been passed for Rs. 35,000, which is the same as the budget for 1916-17.

41. *Land Revenue.*—The total Provincial expenditure for 1917-18 is estimated at Rs. 35,57,000 against Rs. 34,96,000 the revised, and Rs. 34,52,000, the budget estimate for 1916-17 as shown below:—

	1916-17.		1917-18.
	Budget.	Revised.	Budget.
	Rs.	Rs.	Rs.
Charges of District Administration ...	28,18,000	28,65,000	28,21,000
Charges on account of Land Revenue collections	15,000	15,000	15,000
Management of Government estates ...	4,49,000	4,48,000	5,30,000
Survey and Settlement	1,00,000	1,04,000	1,26,000
Land Records ...	70,000	64,000	65,000
Total ...	34,52,000	34,96,000	35,57,000

The increase in the revised estimate for 1916-17 is chiefly due to larger expenditure under Travelling allowances, Subdivisional establishment and Kanungo establishment. The estimate for 1917-18 includes provision of Rs. 20,000 for the employment of Settlement Kanungos as Circle Officers, of Rs. 2,000 on account of increase of pay of certificate muharrirs, as well as provision for increased grants for travelling allowances of officers, for diet and hospital expenses of wounded persons for the Dacca record-room establishment, for improvements in Government estates with reference to the increase in the collections from those estates and for larger grants for Provincial settlement operations.

42. *Stamps.*—The estimate for 1916-17 was Rs. 6,96,000, but this has been reduced to Rs. 6,33,000 in the revised estimate owing to a fall in the consumption of plain paper in certain districts, resulting in smaller charges under Stamps supplied from Central Stores; the revised estimate under this sub-head has been taken as Rs. 2,10,000 against Rs. 3,10,000, the budget for the year. Against this decrease there are increases under Discount for the sale of both general and court-fee stamps owing to the increase in sales. The budget for 1917-18 has been placed at Rs. 6,28,000. The charges of this department are divided equally between the Imperial and the Provincial Revenues, and the Provincial shares amount to Rs. 3,17,000 and Rs. 3,14,000, respectively.

43. *Excise.*—The total expenditure for 1916-17 was originally estimated at Rs. 8,39,000, but in the revised estimate this has been raised to Rs. 8,70,000, chiefly owing to larger expenditure on rewards and a failure to realize the savings anticipated under Establishment. The budget for 1917-18 is Rs. 9,00,000, and as in the current year, though full provision has been made in the budget, a saving of Rs. 50,980 has been estimated, as the full number of higher paid officers will not be entertained during the year.

44. *Income Tax.*—The estimate for 1916-17 was Rs. 1,52,000, but in the revised estimate this has been raised to Rs. 1,61,000 to provide for the appointment of an Assistant Collector and additional establishment in the Calcutta Income Tax office sanctioned in consequence of the introduction of the new Act. The budget for 1917-18 is Rs. 1,69,000 and includes additional establishment for the whole year. The Provincial share is one-half, and amounts to Rs. 81,000 and 85,000, respectively.

45. *Forests.*—The sanctioned estimate for 1916-17 was Rs. 6,54,000, but in the revised estimate this has been reduced to Rs. 5,90,000 with reference to the actuals of the first nine months of the year. The decrease is due chiefly to curtailment of expenditure under Communications and improvements and extension of forests. The budget for 1917-18 is Rs. 6,52,000, and includes provision of Rs. 24,000 for the preparation of a working-plan of the Kurseong forests and larger provision for communications and buildings and travelling allowances.

46. *Registration.*—The budget estimate for 1916-17 was Rs. 11,09,000, but in the revised estimate this has been raised to Rs. 11,29,000 with reference to the actuals of the first nine months of the year, showing larger expenditure under temporary establishment owing to the larger number of registrations. The estimate for 1917-18 is Rs. 11,36,000, and includes Rs. 3,600 for the opening of new sub-registry offices, and a larger grant for temporary establishment and contract contingencies in view of the gradual increase of the charges of the departments.

47. *Interest on Ordinary Debt.*—This is interest payable from the Provincial Revenues to the Imperial Revenues on the amount advanced by the Government of India to the Local Government for loans to cultivators under the Agriculturists' Loans and Land Improvements Loans Acts, for advances to Co-operative Societies, for advances on drainage and embankment schemes, for loans to notabilities and to municipalities and other public corporations (excluding Presidency corporations) and to the *ex*-students of the Serampore Weaving School.

48. *General Administration.*—The budget for 1916-17 was Rs. 24,36,000, but in the revised estimate this has been raised to Rs. 24,53,000 with reference to the actuals of the first nine months of the year. The increase is due to the provincialization of the amalgamated establishment employed in the audit of accounts of local authorities in Calcutta, for which an assignment of Rs. 11,000 has been taken into account under "Transfer from Imperial to Provincial Revenues." The estimate for 1917-18 is Rs. 25,70,000, and includes the following items :—

	Rs.
Examiner of outside audit and additional auditors for the transfer of outside audit to the Local Audit Section of the Accountant-General's office	22,000
Inauguration grant for the renewal of furniture and carpets, Government Houses	30,000
Curtains and covers for furniture for 1½ years, in advance	7,935
Allowance for equipment and voyage of the new Governor	15,000
Cost and freight of two motor-cars to be purchased for the new Governor	21,950
Additional grant for special trains for His Excellency	5,000
Additional grant for travelling charges of the Members of the Executive Council	6,000
Lump provision for Additional Secretary ...	13,200
Additional Under-Secretary, Financial Department	11,520
Grant for repairs of steamers of the Commissioners, Presidency and Chittagong Divisions	10,770

49. *Law and Justice—Courts of Law.*—The estimate for 1916-17 was Rs. 1,00,20,000, but in the revised estimate this has been reduced to Rs. 99,38,000 with reference to the actuals of the first nine months of the year. The decrease is chiefly under Law Officers owing to smaller payment of fees to pleaders in connection with criminal cases and partly under Contingencies of the Civil and Sessions Courts and

charges under the Defence of India Act. The estimate for 1917-18 is Rs. 1,01,57,000, and includes the following provisions :—

	Rs.
Provision for three shorthand-writers of the High Court	9,600
Revision of establishment of the Original Side, High Court	14,135
Revision of the Receiver's office establishment ...	2,369
Revision of establishment of the Appellate Side, High Court	11,209
Additional grant for copying special appeals and pleadings	2,500
Additional Legal Remembrancer and his establishment in place of Rs. 35,000 provided in 1916-17	75,000
Larger grant for fees to pleaders in criminal cases in mufassal	40,000
Provision for a temporary District and Sessions Judge	21,000
Provision for the establishment of the temporary District and Sessions Judge	3,000
Provision for two temporary Subordinate Judges ...	14,400
Do. for their establishment	4,000
Charges under the Defence of India Act ...	75,000

50. *Jails.*—The estimate for 1916-17 was Rs. 25,50,000, but in the revised estimate this has been raised to Rs. 28,60,000 with reference to the actuals of the first nine months of the year. The increase is mainly due to larger dietary, clothing and hospital charges, as well as to larger purchases of raw materials for the manufacture of supplies to the Military and Police Departments. The estimate for 1917-18 is Rs. 28,89,000. It includes larger provision for dietary and other charges as in the revised estimate for 1916-17, provision for allowances to the Roman Catholic Chaplain of the Alipore Central Jail and to temporary assistant jailors and for Subsidiary Jail establishment at Kalimpong and larger grants for the purchase of raw materials and European stores for the expansion of the blanket factory at Dacca and of the quinine industry in the Juvenile Jail at Alipore.

51. *Police.*—The following table shows the figures under this head :—

Heads.	Actuals, 1915-16.	1916-17.		Estimate, 1917-18.
		Budget.	Revised.	
	Rs.	Rs.	Rs.	Rs.
Presidency Police ...	18,25,337	18,17,000	18,91,000	22,22,000
Superintendence ...	3,05,727	2,97,000	3,09,000	3,06,000
Criminal Investigation Department ...	5,97,591	5,94,000	6,75,000	7,90,000
District Executive Force	74,71,950	77,01,000	76,61,000	94,12,000
Village Police ...	17,844	6,000	10,000	10,000
Special " ...	3,13,181	3,19,000	3,06,000	3,14,000
Railway " ...	3,67,128	3,45,000	3,68,000	3,50,000
Cattle-pounds ...	157	250	300	250
Refunds	4,568	3,000	3,700	3,800
For rounding ...	.....	—250	.....	—50
Total ...	1,09,03,783	1,11,12,000	1,12,27,000	1,34,38,000

The revised estimate for 1916-17 has been framed with reference to the actuals of the first nine months of the year. The increase is chiefly under Criminal Investigation Department mainly for special allowances sanctioned

by the Secretary of State to the staff of the department as well as for larger expenditure under Rewards and Secret Service. The estimate for 1917-18 is Rs. 1,34,38,000. It includes the following large schemes and several smaller schemes which are enumerated in pages 6 to 9 above and need not be repeated here :—

	Rs.
Calcutta Police—	
Additional staff for Motor-vehicles Department	6,384
Creation of appointments of Assistant Commissioners	10,440
Revision of the Special Branch establishment and allowances	71,845
Rent of fire-alarm pillars	7,583
Appointment of additional Sergeants ...	32,236
Reorganization of the Criminal Investigation Department	30,000
River patrol arrangements	2,34,033
Bengal Police—	
Revision of the scale of armourers in the Civil Police	5,800
Redistribution of areas of Netrakona and Barhatta police-stations in Mymensingh	9,713
Strengthening of the investigation staff in Mymensingh	21,731
Reorganization of the subordinate police, Eastern Bengal	12,881
Rent for the office of the Intelligence Branch ...	12,000
New works in connection with the reorganization of the subordinate police in Eastern Bengal	3,00,000
Works in progress in connection with the above	1,00,000
Establishment of a regular system of telephone connections required for the prevention and detection of crime in the several districts ...	10,000
Entertainment of extra force for beat-posts in Bankura	10,271
Splitting up the jurisdiction of Madaripur police-station	5,910
Reorganization of the river police in Eastern Bengal	1,06,612
Reorganization of the Howrah town police ...	1,09,813
Splitting up the jurisdiction of Khulna police-station	4,000
Redistribution of the jurisdictions of Kishoreganj and Badla police-stations, Mymensingh ...	13,690
Establishment of a Detective Department for the district of the 24-Parganas	10,907
Entertainment of additional Sub-Inspectors ...	26,580
Creation of a Fifth Deputy Inspector-General ...	32,962
Raising the pay of European Inspectors ...	18,150
Extension of the station-boat system ...	38,987
Raising the proportion of the ordinary reserves of head-constables and constables	73,151
Appointment of a temporary staff for the Criminal Investigation Department	10,295
Appointment of Reader Sub-Inspectors to Superintendents of Police	10,000
Supply of tents and tarpaulins	15,000
Additional staff for the East Indian Railway Police	6,493
Revision of the District Intelligence Branch establishment	2,50,000
Additional staff for enquiries to be made regarding gangs which may be brought under the Criminal Tribes Act	10,000
Installation of telephone connections in the districts of the 24-Parganas and Howrah and for the purchase of whistles for the town police ...	10,967

Bengal Police—concluded.

	Rs.
Grant for house-rent to Sub-Inspectors and officers of lower rank who are entitled to free quarters but have not yet been provided with them ...	1,37,000
Installation of a printing press for the Intelligence Branch	5,880
Establishment of a school for the training in principles of preventive and detective work ...	24,445
Karwal Nut settlement	22,000
Strengthening the Intelligence Branch by deputation of two extra Superintendents	25,200

52. *Ports and Pilotage.*—The estimate for 1916-17 was Rs. 13,3),0.0, but in the revised estimate this has been reduced to Rs. 11,68,000, due partly to the dislocation of sea-borne trade which reduced the earnings of pilots and also to the transfer of the steamer *Guide* to the Commissioners of the Port of Calcutta. The estimate for 1917-18 is Rs. 12,15,000, and provision has been made for the normal expenditure of the department with reference to requirements. It includes Rs. 1,50 000 for a grant to the Chittagong Port Fund, Rs. 5,760 for the appointment of mate pilots as chief officers of the two pilot vessels *Fraser* and *Lady Fraser*, Rs. 1,900 for war bonuses to junior engineers of those vessels and Rs. 37,000 for the hire of vessels for His Excellency's river tours.

53. *Education.*—The total Provincial charge in 1916-17 was estimated at Rs. 88,30,000, but in the revised estimate this has been reduced to Rs. 82,18,000 with reference to the actual charges in the first nine months of the year. The decrease is chiefly due to savings in the allotment for grants to the Calcutta University for Hostel buildings, in the grants from Imperial Revenues and to the transfer of some grants to the Public Works Department for the construction of buildings. The following table compares the actuals of the last four years with the budget and revised estimates for 1916-17 and the estimates for 1917-18 :—

HEADS.	ACTUALS.				1916-17.		Budget, 1917-18.
	1912-13.	1913-14.	1914-15.	1915-16.	Budget.	Revised.	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
University	5,15,000	1,18,500	2,73,960	1,15,000	1,15,000	1,15,000	1,15,000
Direction	1,78,080	1,51,032	1 62,563	1,64,393	1 52,000	1,56,000	1,57,000
Inspection	7,82,598	7,83,208	9,33,936	9,15,901	8,95,000	9,05,000	8,96,000
Government Colleges, General	8,50,209	8,55,924	10,04,105	9,53,535	9,36,000	9,18,000	9,50,000
Government Colleges, Professional	4,00 575	3,57,324	3,61,112	3,37,953	3,62,000	3,44,000	3,60,000
Government Schools, General	19,81,325	22,81,411	21,25,229	18 93,164	13,08,000	20,20,000	13,48,000
Government Schools, Special	5,98,433	5,78,827	6,77,468	7,29,453	6,81,000	7,33,000	6,67,000
Grants-in aid	17,24,594	20,99,939	31,11,918	29,45,916	17,53,000	23,66,000	18,49,000
Scholarships	2,24,400	2,41,638	2,41,616	2,51,352	2,44,000	2,53,000	2,60,000
Miscellaneous ...	1,20,518	6,42,200	3,13,636	1,73,707	1,91,000	2,05,000	1,93,000
Refunds	1,097	2,512	1,479	3,040	2,000	3,000	3,000
Expenditure from the non-recurring assignment of 75 lakhs	...	...	...	...	71,000	...	40,000
Lump provision for improving popular education ...	...	...	...	...	9,25,000	75,000	9,25,000
Lump provision for secondary education ...	...	...	...	...	1,50,000	...	1,50,000
Lump provision for female education (recurring) ...	...	...	...	...	30,000	...	30,000
Expenditure of the recurring grant	...	...	...	...	8,20,000	75,000	8,20,000
Further recurring grant ...	...	...	...	...	1,50,000	50,000	1,50,000
Dacca University and hostels (recurring) ...	...	...	...	...	45,000	...	...
Lump grant for improving the training and pay of teachers	...	...	...	...	...	...	9,00,000
Total ...	73,76,829	81,12,515	92,07,022	84,83,414	88,30,0.0	82,18,000	98,13,000

The budget for 1917-18 includes the following items of expenditure :—

	Rs.
Provincialization of high schools of Bhola, Jhalakati, Pirojpur and Jamalpur	21,072
Masters, etc., for Hastings House School ..	29,508
Grants-in-aid to Madrassas	25,000
Duty allowance to the Principal, Presidency College	1,800
Local allowances for the Bursar and Dean of the Presidency College	3,000
Additional Professor, Chittagong College ..	3,900
Provision for raising the status of the middle vernacular school attached to Chittagong Normal School to a middle English school	780
Grant to Calcutta University for hostels ...	3,39,000
Provision for the construction of servants' quarters, stables, etc., for the Bethune College .	40,000
Lump grant for improving the training and pay of teachers in primary and secondary schools . .	9,00,000

The Imperial grants are likely to be expended in 1916-17 thus :—

	Grant.	Probable Expenditure in 1916-17—		Total probable expenditure.
		Under Education.	Under Civil Works.	
	Rs.	Rs.	Rs.	Rs.
Lump grant for non-recurring expenditure.	71,000	.....	65,000	65,000
Recurring.				
Lump grant for improving popular education	9,25,000	7,56,000	2,000	7,58,000
Lump grant ...	8,20,000	6,24,000	45,000	6,69,000
Grant for secondary education	1,50,000	1,50,000	.....	1,50,000
Grant for female education	30,000	30,000	.....	30,000
Further grant ..	1,50,000	1,06,000	4,000	1,10,000
Dacca University ...	45,000	.....	16,000	16,000
Total ...	21,91,000	16,66,000	1,32,000	17,98,000

54. *Medical.*—The head Medical has now been divided under the orders of the Government of India into two Major heads—Medical and Sanitation—as stated in paragraph 27 above. Under the former head Medical establishment, Hospitals and Dispensaries, Grants for medical purposes, Medical Schools and College, Lunatic Asylum, X-Ray Institute, Chemical Examiner and Refunds will be exhibited, while the latter will include Sanitation and Vaccination Establishment, Grants for sanitary purposes, Expenses in connection with plague, malaria and epidemics, Bacteriological Laboratory and Pasteur Vaccine Institutes and Refunds. The estimate for 1916-17 was Rs. 22,72,000, and included provisions for grants of Rs. 10,000 and Rs. 5,000 to the State Medical Faculty and to Bengal Council of Medical Registration, respectively. No grants will now be required by these Councils, but the

expenditure under Hospitals and Dispensaries has been raised to make provision for grants sanctioned by His Excellency from his allotment for petty grants and by the Divisional Commissioners from their grants for local improvements. The total revised under Medical will stand at Rs. 23,15,000. The budget for 1917-18 is Rs. 26,14,000, and includes the following charges :—

	Rs
Grant to the Belgachia Medical Institution ...	3,50,000
Additional grant for cost of electric current for new lights in the Campbell Hospital ...	5,000
Charges for Medical College students' messes ...	7,000
Contribution on account of fees of students of Government Medical Schools for appearing at the examination of the State Medical Faculty	1,000

The grants for Presidency Hospitals are shown below :—

	Salaries.	Establishment	Allowances.	Clothing and bedding.	Diet.	Other supplies.	Contingencies.	Total.
	Rs.	Rs.	Rs.	Rs.		Rs.	Rs.	Rs.
Medical College Hospital ...	39,000	19,748	440	92,000		1,23,000	85,812	3,60,000
General Hospital ...	60,000	9,678	1,360	70,000		44,200	46,762	2,32,000
Campbell Hospital ...	15,420	28,032	10,500	36,500		31,500	33,048	1,55,000
Albert Victor Asylum for Lepers	5,400	3,600	180	17,000		1,200	7,620	35,000

55. *Sanitation.*—The estimate for 1916-17 was Rs. 5,53,000, but this has been reduced to Rs. 5,15,000 in the revised estimate with reference to the actuals of the first nine months of the year. The decrease is chiefly due to savings in the grant for works of sanitary improvement and also to the transfer of Rs. 8,360 granted to the Chittagong Municipality for the pay of their Engineer-Secretary to the head "45—Civil Works in charge of Civil Officers."

The following grants have been sanctioned in 1916-17 from the grants for sanitary improvements :—

	Rs.
Chittagong Municipality for salary of Engineer-Secretary	8,360
Calcutta Municipality for experiment of the sewerage	5,000
Garden Reach Municipality for drainage ...	36,800
To several municipalities, etc., for supply of quinine	1,950
Pay of Sanitary Inspectors	6,000
Purchase of pumping plant by Sanitary Engineer for Jessore Municipality	6,000
Kurigram drainage	1,000
Jangipur flush drainage scheme	17,000
Grants to District Boards for supply of quinine for anti-malarial measures	12,500
Professor Geddes' fees and passage	3,271
Grant to Bankura District Board for anti-malarial measures	2,000
Grant to Dacca Municipality for conservancy ...	7,500
Calcutta Municipality for drainage of fringe area	12,017

	Rs.
Burdwan Municipality for drainage	7,958
Collection of vital statistics in Murshidabad ...	800
Natore Municipality for water-works	1,400
To the Education Department for free distribution of quinine among school children ...	675

Of the sum of Rs. 50,000 given in 1916-17 by the Indian Research Fund Association for expenditure on sub-soil drainage as an anti-malarial measure, Rs. 20,000 is expected to be spent in 1916-17 and the balance Rs. 30,000 in 1917-18. Of Rs. 30,600 given by the same fund in 1916-17 for experiments in testing vital statistics, Rs. 6,250 has been provided in the budget. Rupees 12,000 has been provided for the establishment for investigation of diabetes in India under the sub-head "Grants for sanitary purposes." Rupees 2,50,000 has also been provided for works of sanitary improvements and the budget grant for 1917-18 is passed for Rs. 5,98,000.

56. *Political.*—The estimate for 1916-17 was Rs. 23,000, but in the revised estimate this has been raised to Rs. 2,77,000 chiefly to provide for charges arising from the internments under the Defence of India Act, allowances for State prisoners and detenus under the Ingress into India Ordinance. The budget for 1917-18 is Rs. 2,36,000, and includes the following special items :—

	Rs.
Personal and family allowances to detenus under the Defence of India Act	2,00,000
Ingress into India Ordinance detenus ...	1,000
State prisoners	5,000

57. *Agriculture.*—The estimate under this head for 1916-17 was Rs. 11,29,000, but in the revised estimate this has been reduced to Rs. 11,00,000 with reference to the actuals of the first nine months of the year. The decrease is chiefly under Veterinary Hospitals and Dispensaries on account of larger recoveries from local bodies for contributions towards the pay of veterinary assistants. The budget for 1917-18 is Rs. 12,26,000, and includes the following items :—

	Rs.
Arrear increments of pay of veterinary assistants prior to their transfer to Provincial Service ...	7,160
Appointment of six additional District Agricultural officers	7,200
Travelling allowances of six additional District Agricultural officers	7,500
Experiments for potatoes, bonemeal, ufra, crop-cutting and ground-nut demonstrations ...	35,000
Purchase of special varieties of paddy seeds ...	30,000
Additional grant to Miss Cleghorn for silk experiments and researches	15,700
Additional grant for contract contingencies of the Botanic Garden, Sibpur, for oiling garden roads ...	2,000
Salary of Joint Registrar, Co-operative Department	12,600
Provision for Chief Auditor, 4 inspectors, 1 clerk and 7 peons for Co-operative Department ...	9,312
Additional grant for travelling allowances of officers, and establishment for Co-operative Department ...	13,000

58. *Scientific and Miscellaneous Departments.*—The estimate for 1916-17 was Rs. 6,44,000, but in the revised estimate this has been reduced to Rs. 4,63,000. The decrease is chiefly due to lapse of the grant for Director of Industries as the appointment has not yet been sanctioned, and of that for the development of industries as no expenditure from this head could

be sanctioned pending the report of the Industrial Commission. There were also small savings under Cinchona plantation, Inspector of Factories and the grant for experiments of the Fishery Department. The estimate for 1917-18 is Rs. 5,83,000, and includes the following schemes :—

	Rs.
Two additional Assistant Managers of Cinchona plantations	4,800
Their pony allowances and purchase and upkeep of ponies	1,560
Sub-Assistant Surgeon for the plantation ...	840
Afforestation charges in the Munsong plantation	3,000
Grant to the Dacca Museum	6,175
Ditto Darjeeling Museum	5,000
Construction of a bungalow for the Assistant Superintendent of Emigration, Goalundo ...	3,000
Repairs and removal of office and repatriation sheds to a different site at Goalundo ...	1,100

59. *Superannuation.*—The charges under this head rise yearly with the increase in the number of claims to pensions. The estimate for 1916-17 was Rs. 33,71,000, and included Rs. 2,00,000 for commutations of pensions. As the applications for such pensions are very rigidly examined the revised estimate under this sub-head has been reduced to Rs. 75,000 and the total revised estimate under Superannuation has been placed at Rs. 32,90,000. The budget for 1917-18 has been passed for Rs. 34,11,000, and includes Rs. 1,30,000 for commutation of pensions.

60. *Stationery and Printing.*—The following table shows the charges under this head :—

HEADS.	Actuals, 1915-16.	1916-17. Budget estimate.	1916-17. Revised estimate	Budget estimate, 1917-18.
	Rs.	Rs.	Rs.	Rs.
Stationery purchased in the country ...	29,705	32,000	29,000	32,000
Government Presses ...	6,14,589	6,62,000	5,80,000	6,43,000
Printing at private presses	2,956	3,000	2,000	3,000
Stationery supplied from Central Stores ...	6,5,203	6,50,000	6,50,000	6,50,000
Refunds	998	1,000	1,000	1,000
Total ...	13,01,451	13,48,000	12,62,000	13,29,000

The estimate for 1916-17 was Rs. 13,48,000, but in the revised estimate this has been reduced to Rs. 12,62,000 chiefly owing to smaller expenditure under Government Presses due to savings in the grants for overtime allowances to permanent and temporary piece-workers and in contingencies of the Secretariat Press and of the Jail Press. The estimate for 1917-18 is Rs. 13,29,000 and provides for smaller grant for the Secretariat Press under overtime allowance and piece-hands.

61. *Miscellaneous.*—The estimate for 1916-17 was Rs. 12,28,000, but in the revised estimate this has been reduced to Rs. 3,77,000. The reduction is chiefly due to the adjustment under appropriate heads of expenditure sanctioned by His Excellency from the allotment for petty grants, the adjustment of charges for grain compensation allowance, to the reappropriation of the reserve provision of 2 lakhs in order to meet expenditure under other heads and to the utilization of the savings in the allotment of Rs. 2,25,000 for gratuitous relief to meet expenditure on Famine Relief in the

district of Bankura. The budget for 1917-18 is Rs. 11,09,000, and includes the following items :—

	Rs.
Allotment for petty grants by His Excellency	1,00,000
Ditto payment of grain compensation allowance of all Provincial departments ..	1,00,000
Gratuitous Relief	1,00,000
General reserve for unforeseen requirements ..	2,00,000
Guarantee charges for telegraph lines ...	10,000

62. *Famine Relief*—Since orders were passed in the budget of the current year Famine was declared in the district of Bankura with effect from the 1st April 1916. The actual charges in the first nine months of 1916-17 amounted to Rs. 7,15,000 and no further expenditure is expected during the last three months of the year. Of this sum Rs. 4,20,000, being the amount to the credit of this Province up to 1916-17 under the Famine Insurance Scheme, will be wholly Imperial, and the remainder Rs. 2,95,000 will be distributed in the Imperial and Provincial Revenues in equal proportions. The Provincial share will therefore be Rs. 1,48,000.

With the approval of the Secretary of State the Government of India have sanctioned a change in the method of adjustment of famine relief expenditure which will be given effect to from the 1st April 1917. The existing *pro formâ* account of the Famine Insurance Scheme will be abolished and the debits now entered in the provincial section under the head "36—Reduction or Avoidance of Debt," together with the corresponding assignment from Imperial to Provincial Revenues will be discontinued and expenditure on Famine Relief will be shared between Imperial and Provincial in the proportion of $\frac{3}{4}$ and $\frac{1}{4}$ respectively.

63. *Irrigation Major Works (Working Expenses).*—The estimate for 1916-17 was Rs. 1,90,000 against Rs. 1,96,022, the actuals of 1915-16. A sum of Rs. 16,000 has been transferred to "43—Minor Works and Navigation" and the revised estimate has been passed for Rs. 1,74,000. The decrease is under Maintenance and Repairs of the Midnapore Canal. The budget estimate for 1917-18 is Rs. 1,70,000, and is based on actual requirements. The Provincial shares (one-half) amount to Rs. 87,000 and Rs. 85,000 respectively.

64. *Irrigation—Interest on Debt.*—The actual expenditure during 1915-16 was Rs. 3,48,476, and the budget for 1916-17 was Rs. 3,51,000. The capital outlay on the canals to end of 1915-16 from Imperial funds, for which interest is payable by the Local Government, amounted to—

	Rs.
For the Midnapore Canal ..	82,39,830
Hijili Tidal Canal	17,95,489
Total ..	1,00,35,319

Interest at 3·4725 per cent. on the above is Rs. 3,48,476. As no capital expenditure on the above account is expected during 1916-17 or 1917-18, both the revised and budget estimates have been placed at Rs. 3,48,000. The Provincial share is Rs. 1,74,000.

65. *Irrigation—Minor Works and Navigation in charge of the Public Works Department.*—The estimate for 1916-17 was Rs. 20,92,000 against Rs. 22,94,450, the actuals of 1915-16. The revised estimate has been raised by Rs. 16,000 by transfer from Major Works as mentioned above and stands at Rs. 21,08,000. The total demand for 1917-18 was Rs. 23,15,000, but as Rs. 74,000 is expected to be realized for the transfer of the Calcutta Eastern Canal surplus lands to the Calcutta Improvement Trust, the net grant under this head has been passed for Rs. 22,41,000. The budget includes the following items :—

	Rs.
For the construction of permanent outlets of the Midnapore canal	3,000
For completing the improvements which are being executed by the dredger *Foyers* to the Lower Kumar river at Char Maguria	75,000

	Rs.
For completing the embankments along the *bhil* channel	1,65,000
Projects for mitigating the effect of the floods of the Damodar, Ajai and other rivers	2,50,000
Erection of a spill from the Bidhyadhari river ...	16,300
Renewal of flood gate of the Bhaitgarh lock ...	15,000
Special repairs to the Chitpur and Dhappa locks ...	30,000
Silt-clearance of Bhangore khal	20,000
For ordinary flood damage and special repairs to Government embankments in the Cossye Division, including retired lines of embankments	1,64,400
For re-sectioning the Sunderbans embankments and flood damage repairs to the 24-Parganas embankments	8,000
For raising the Ajai embankment	10,000
For ordinary flood damage and special repairs to embankments in the Northern Drainage and Embankment Division, including retired lines of embankments	1,00,000

The Provincial share (one-half) amounts to Rs. 10,51,000 for 1916-17 and Rs. 11,21,000 for 1917-18.

66. *Civil Works in charge of the Public Works Department.*—The estimate for 1916-17 was Rs. 52,60,000, but in the revised estimate this has been raised to Rs 56,00,000 owing to additional grants sanctioned for Education, Police, Jail and other buildings by corresponding reductions in the departmental budgets. The estimate for 1917-18 has been placed at Rs. 69,36,000, which is distributed thus—

		1916-17 Budget.	1916-17 Revised.	1917-18. Budget.
		Rs.	Rs.	Rs.
Original works	...	6,60,000	19,30,000	21,66,000
Works in progress	...	8,50,000		8,00,000
Repairs ...	...	24,00,000	25,20,000	24,00,000
Establishment	...	13,00,000	11,48,000	12,00,000
Tools and plants	...	50,000	52,000	60,000
Stock and suspense	...	.....	—50,000	10,000
Total .	...	52,60,000	56,00,000	69,36,000

The grants for repairs, establishment and tools and plants have been fixed at the lowest sum possible. The demand for works in progress has also been reduced to the minimum. Rupees 3,30,000 has been allowed to Heads of Departments for Minor Works and Rs. 21,36,000 could only be given for Major Original Works.

The Minor Works grant is distributed thus—

	Rs.
Education	60,000
Police, Mufassil	50,000
Commissioners of Divisions	50,000
Jails	40,000
Medical	30,000
Police, Calcutta	15,000
Courts of Law	15,000
Residences of Local Governments	10,000
Agriculture	12,000
Registration	12,000
Excise	10,000
Reserve	26,000
Total ...	3,30,000

The sum of Rs. 21,36,000 for original works is provided for the following :—

	Rs.
Police Buildings	12,00,000
Land acquisition and Buildings in connection with the partition of the districts of Midnapore and Mymensingh	4,36,000
Education—	
Baker Hostel (south-east wing)	28,000
Medical—	
Quarters for servants, Medical College Hospitals	3,00,000
Political—	
Treasury Buildings	25,000
Jails—	
Jalpaiguri Hospital	32,000
Erection of a wall in the Gopalganj Jail ...	5,200
Registration—	
Construction of a new building at Srinagar ...	6,700
Ditto the Sub-Registry office building and Sub-Registrar's quarters at Mollahat ...	10,440
Civil Cutcherries—	
Dacca Settlement record-room racks ...	5,000
Berhampore Treasury guard barrack ...	8,800
Jhenidah—Additional accommodation for increased Treasury guard	6,100
Magura—Additional accommodation for increased Treasury guard	7,200
Siliguri—Additional accommodation for increased Treasury guard	6,340
Suri strong room	5,400
Pabna Collectorate—Alterations to old Mission house	8,150
Residences—	
Quarters for Subdivisional Officer, Gopalganj ...	15,000
Public Works Department—Pony track from the Dudhiajhora to the Panighatta Suspension Bridge	15,000

67. *Civil Works in charge of the Civil Department.*—The estimate or 1916-17 was Rs. 11,40,000, but in the revised estimate this has been educed to Rs. 8,02,000 as the amount required for augmentation grants to District Boards was found to be less than had originally been estimated. The estimate for 1917-18 is Rs. 8,59,000, and includes the following special harges :—

	Rs.
1½ per cent. grant for the improvement of roads in Government estates	74,779
Augmentation grant	4,30,000
Special grants at the disposal of the Divisional Commissioners	1,52,000
Grant to the Calcutta Improvement Trust ...	1,50,000

RECEIPTS	ACTUALS.				1916-17.		191
	1912-13.	1913-14.	1914-15.	1915-16.	Sanctioned estimate.	Revised estimate.	Bu esti
1	2	3	4	5	6	7	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Opening balance ...	1,66,25,000	3,13,30,270	3,18,11,112	2,72,60,323	2,58,90,000	2,79,19,000	3,26,
ncipal Heads of Revenue							
I—Land Revenue ...	1,60,64,024	1,56,99,108	1,55,17,803	1,65,61,815	1,60,12,000	1,62,85,000	1,63,
IV—Stamps	1,03,71,927	1,09,55,416	1,01,34,133	1,12,18,670	1,12,00,000	1,22,50,000	1,26,
V—Excise	1,37,59,045	1,53,88,578	1,53,74,624	1,51,40,074	1,50,50,000	1,45,00,000	1,46,
VI—Provincial Rates ...	32,02,152	1,31,340	1,70,453	2,33,853	1,04,000	1,45,000	1,
VIII—Income Tax ...	27,75,826	33,18,958	34,92,305	36,13,306	53,40,000	80,00,000	90,
IX—Forests	16,00,601	16,16,111	13,04,496	11,45,610	11,50,000	12,40,000	13,
X—Registration ...	18,23,161	20,16,144	18,12,868	20,36,068	20,50,000	21,40,000	22,
Total ...	4,95,96,736	4,91,25,655	4,78,06,682	4,99,49,396	5,09,06,000	5,45,60,000	5,62,
XII—Interest	5,00,713	4,29,999	4,14,486	4,63,551	6,54,000	6,16,000	5,
eipts by Civil Department—							
XVI—Law and Justice—							
A—Courts of Law	8,14,901	8,42,814	8,60,139	8,43,999	8,30,000	8,84,000	8,
B—Jails ...	7,03,353	6,71,947	8,34,256	9,09,148	8,02,000	10,51,000	11,
XVII—Police	2,39,082	1,56,681	1,77,419	1,90,866	1,67,000	1,75,000	1,
XVIII—Ports and Pilotage ...	17,52,191	16,76,604	15,52,988	13,49,562	14,25,000	12,05,000	11,
XIX—Education ...	7,77,676	8,10,953	8,47,110	8,86,574	9,05,000	9,32,000	9,
XXA—Medical ..	3,76,733	4,18,537	3,92,348	3,59,574	3,69,000	3,74,000	3,
XXB—Sanitation ...	50,009	1,770	2,210	660	12,000	93,000	
XXIA—Agriculture ...	79,644	78,756	71,678	1,01,156	94,000	1,05,000	1,
XXIB—Scientific and Miscellaneous Departments ...	1,38,287	1,98,925	1,61,291	6,04,849	5,22,000	7,50,000	7,
Total ..	49,31,867	48,56,987	51,99,439	52,46,388	51,26,000	55,69,000	55,
cellaneous—							
XXII—Receipts in aid of Superannuation ...	48,210	38,886	58,567	54,583	56,000	56,000	
XXIII—Stationery and Printing	1,20,103	1,37,862	1,49,604	1,33,395	1,27,000	1,43,000	1,
XXV—Miscellaneous ...	7,72,339	7,68,760	6,71,057	6,65,208	6,52,000	7,37,000	6,
Total ...	9,40,652	9,45,508	8,79,228	8,53,186	8,35,000	9,36,000	8,
gation—							
XXIX—Major Works (direct receipts) ...	1,36,959	1,23,290	1,26,981	1,39,040	1,29,000	1,45,000	1,
XXX—Minor Works and Navigation—							
By Public Works Department ...	3,20,105	2,82,520	2,43,233	3,13,865	3,10,000	3,88,000	3,
By Civil Department	24,925	24,421	24,725	26,407	25,000	25,000	
Total ...	4,81,989	4,30,231	3,94,939	4,79,312	4,64,000	5,58,000	5,
ldings and Roads—							
XXXI—Civil Works—							
By Public Works Department ...	3,85,036	4,34,258	5,62,750	4,72,054	4,30,000	5,17,000	4,
By Civil Department	1,42,523	1,66,034	1,46,493	1,46,492	1,59,000	2,71,000	1,
Total ...	5,27,559	6,00,292	7,09,243	6,18,546	5,89,000	7,88,000	5,
Transfer between Imperial and Provincial Revenues ...	+1,46,73,885	+57,52,800	+68,05,878	+58,49,619	+34,35,000	+23,90,000	+22,
Total Receipts ...	7,16,53,401	6,21,41,472	6,22,09,896	6,34,59,998	6,20,04,000	6,54,17,000	6,65,
GRAND TOTAL ...	8,82,78,401	9,34,71,742	9,40,21,007	9,07,20,321	8,78,94,000	9,33,36,000	9,92,

PENDITURE.	Actuals. 1912-13.	1913-14	1914-15.	1915-16	1916-17. Sanctioned estimate	Revised estimate	1917-18. Budget estimate.
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs	Rs.	Rs	Rs.	Rs.
l on the Revenues—							
nds and Drawbacks	1,44,035	1,35,656	2,00,906	1,81,471	1,50,000	2,35,000	1,63,000
guments and Com-							
nsations ...	50,905	27,159	34,273	30,030	35,000	41,000	35,000
l Revenue ...	32,36,128	34,40,775	33,89,970	34,76,687	34,52,000	34,96,000	35,57,000
ps ...	3,53,685	3,61,566	3,11,133	2,91,355	3,48,000	3,17,000	3,14,000
se ...	5,97,657	6,25,743	7,17,585	7,74,858	8,39,000	8,70,000	9,00,000
ncial Rates ...	39,209	.....	.....	.....	.....	.....	.....
me Tax ...	76,469	77,288	77,042	76,482	76,000	81,000	85,000
sts ...	6,60,794	6,40,157	6,70,935	5,93,635	6,54,000	6,90,000	6,52,000
stration ...	10,50,903	11,26,558	11,17,210	11,27,328	11,09,000	11,29,000	11,36,000
Total ...	62,09,785	64,34,902	65,19,054	65,51,746	66,63,000	67,59,000	68,42,000
est on Ordinary Debt	4,42,546	4,39,897	4,39,663	4,76,626	5,10,000	5,09,000	5,14,000
Expenses of Civil							
ral Administration	25,46,712	24,29,759	24,18,157	23,88,887	24,36,000	24,53,000	25,70,000
and Justice—							
Courts of Law ...	96,39,100	1,00,37,547	1,03,78,200	1,05,11,110	1,00,20,000	99,38,000	1,01,57,000
Jails ...	19,61,832	22,62,882	23,50,828	25,06,617	25,50,000	26,60,000	28,89,000
e ...	83,99,859	94,71,081	1,03,72,545	1,09,03,783	1,11,12,000	1,12,27,000	1,34,38,000
and Pilotage ...	12,16,009	14,28,377	13,78,205	13,73,063	13,30,000	11,68,000	12,15,000
ation ...	73,76,829	81,12,515	92,07,022	81,83,411	88,30,000	82,18,000	98,13,000
cal ...	22,66,954	25,23,098	24,79,568	22,83,740	22,72,000	23,15,000	26,14,000
ation ...	7,64,912	8,86,186	8,26,784	7,43,345	5,53,000	5,15,000	5,98,000
ical ...	38,976	32,975	18,358	23,187	23,000	2,77,000	2,36,000
ulture ...	7,72,137	9,06,776	10,22,161	11,39,162	11,29,000	11,00,000	12,26,000
tific and Miscellane-							
s Departments ...	8,91,816	5,19,023	5,16,108	4,17,690	6,44,000	1,63,000	5,83,000
Total ...	3,58,75,436	3,86,10,219	4,09,67,936	4,04,03,998	4,08,99,000	4,05,34,000	4,53,39,000
amination, etc. ...	29,25,688	31,00,288	31,98,648	31,41,809	33,71,000	32,90,000	34,11,000
nery and Printing	13,34,429	14,85,406	12,69,717	13,01,451	13,48,000	12,62,000	13,29,000
ellaneous	4,25,610	5,87,418	4,38,208	6,38,467	12,28,000	3,77,000	11,09,000
Total ...	46,85,727	51,73,112	49,06,573	50,81,727	59,17,000	49,29,000	58,49,000
and Insurance—							
ne Relief ...	.....	.....	.....	.....	.....	1,48,000	.....
ction or avoidance							
Debt ...	60,000	60,000	60,000	60,000	60,000	60,000	.....
nue Accounts)—							
dised Companies—							
d, etc. ...	—363	579	.....	.....	.....	.....	.....
Total ...	59,637	60,579	60,000	60,000	60,000	2,08,000	.....
Works—							
rking expenses ...	1,17,858	1,48,895	1,28,850	98,011	95,000	87,000	85,000
erest on Debt ...	1,75,618	1,69,993	1,75,578	1,74,238	1,76,000	1,74,000	1,74,000
r Works and Navi-							
ion—							
Public Works De-							
artment ...	7,68,153	9,62,228	13,69,847	11,47,225	10,46,000	10,54,000	11,21,000
Civil Department	965	982	10,657	1,022	1,000	1,000	1,000
Total ...	10,62,594	12,82,098	16,84,932	14,20,496	13,18,000	13,16,000	13,81,000
Roads—							
Works—							
Public Works De-							
artment ...	63,21,755	76,44,385	1,00,81,625	67,82,385	52,60,000	56,00,000	69,36,000
Civil Department	22,90,651	20,15,438	21,00,901	20,24,208	11,40,000	8,02,000	8,59,000
Total ...	86,12,406	96,59,823	1,21,82,526	88,06,593	64,00,000	64,02,000	77,95,000
Charges ...	5,69,48,131	6,16,60,630	6,67,60,684	6,28,01,186	6,17,97,000	6,06,57,000	6,77,20,000
Balance ..	3,13,30,270	3,18,11,112	2,72,60,323	2,79,19,135	2,60,97,000	3,26,79,000	3,15,58,000
TOTAL ...	8,82,78,401	9,34,74,742	9,40,21,007	9,07,20,321	8,78,94,000	9,33,36,000	9,92,78,000
al surplus (+) or							
it (—) ...	+1,47,05,270	+4,80,842	—45,50,789	+6,58,812	+2,07,000	+47,60,000	—11,21,000

APPENDIX A.

Bengal Provincial Receipts, in detail of minor heads.

[Figures in columns 7 and 8 are those which have been passed by the Government of India.]

[The remarks in column 9, except where otherwise specially explained, refer to differences between columns 6 and 8.]

1.—Land Revenue—

Heads.	Actuals.				1916-17.		1917-18.	Remarks
	1912-13.	1913-14.	1914-15.	1915-16.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8	9
	Rs	Rs.	Rs	Rs.	Rs.	Rs	Rs	
Gross Land Revenue	2,79,87,155	2,80,28,537	2,82,57,073	2,98,96,500	2,97,99,000	3,04,69,000	3,06,09,000	Budget based on the probable demands of revenue including recoveries of suspensions. Revised based on nine months' actuals.
Deduct collections from Government estates which are wholly Provincial ...	47,70,855	42,77,344	40,45,515	49,17,591	45,00,000	48,00,000	48,50,000	Increase in revised is due to the prosperous condition of the jute trade, which has stimulated collections. The actuals of 1915-16 included large collection of arrears of previous years.
Deduct recoveries of Survey and Settlement charges which are wholly Imperial	6,29,962	9,08,657	12,80,024	16,90,800	22,78,000	27,00,000	27,50,000	Increase in revised is caused by recoveries of arrears, chiefly in Midnapore and Dacca.
Deduct recoveries of cost of maintenance of boundary pillars (wholly Provincial) ...	.....	883	3,042	240	4,000	1,000	1,000	
Total deductions ...	54,00,817	51,86,884	53,28,581	66,08,631	67,82,000	75,01,000	76,01,000	
Net amount divisible between Imperial and Provincial	2,25,86,338	2,28,41,653	2,29,38,492	2,32,87,969	2,30,17,000	2,29,68,000	2,30,08,000	
Provincial share of above	1,12,93,169	1,14,20,826	1,14,69,246	1,16,43,984	1,15,08,000	1,14,84,000	1,15,04,000	
Add collections from Government estates	47,70,855	42,77,344	40,45,515	49,17,591	45,00,000	48,00,000	48,50,000	
Add recoveries of cost of maintenance of boundary pillars	.....	938	3,042	240	4,000	1,000	1,000	
Total Provincial	1,60,64,024	1,56,99,108	1,55,17,803	1,65,61,815	[illegible]	[illegible]	[illegible]	

					61,00,000	76,00,000	80,00,000	Increase in revised occurred mostly in Calcutta and is attributed to a large business in tea and jute and in particular to the unusual boom in jute and coal shares.
Sale of court-fee stamps	1,38,84,986	1,45,01,549	1,42,12,821	1,54,15,690	1,51,00,000	1,62,00,000	1,66,00,000	Increase in revised is chiefly in Calcutta owing to the realization of large death duties and partly also in the Eastern Bengal districts.
Sale of plain paper to be used with court fee stamps	3,10,308	3,23,073	3,07,103	3,22,885	3,20,000	3,45,000	3,55,000	
Duty on impressing documents ...	57,163	2,30,774	1,97,230	2,65,904	2,15,000	2,60,000	2,40,000	
Fines and penalties	31,923	31,707	30,723	36,631	35,000	35,000	30,000	
Miscellaneous	84,787	71,327	82,751	1,00,179	30,000	60,000	75,000	
Total ...	2,07,43,853	2,19,10,831	2,02,68,265	2,24,37,340	2,24,00,000	2,45,00,000	2,53,00,000	Revised based on nine months' actuals. Prior to the war the average increase of revenue was about 8 lakhs a year, and in view of the prosperous condition of the jute and coal trades an improvement of 8 lakhs also over the revised has been adopted for the budget.
Provincial share ...	1,03,71,927	1,09,55,416	1,01,34,133	1,12,18,670	1,12,00,000	1,22,50,000	1,26,50,000	

V—Excise—

License and distillery fees for the sale of liquors and drugs—								
Foreign liquors	3,44,760	3,05,450	3,11,941	3,17,548	3,20,000	3,28,000	3,28,000	
Indian-made liquors excised at tariff rates	2,41,811	3,44,819	3,76,240	3,76,868	4,35,000	4,01,000	4,01,000	
Country spirits—								
License fees—								
Distillery	64,11,686	69,61,029	27,26,000	26,63,191	26,25,000	18,50,000	17,50,000	Decrease in revised is partly due to the result of the introduction of fixed-fee system in Calcutta, which reduced the license fees and partly to diminished consumption.
Outstills			48,597	11,973	.....	6,000	6,000	
Still-head duty...			38,52,964	36,36,071	37,50,000	38,00,000	41,00,000	In 1917-18 an increase in the consumption of country spirits within Calcutta is expected.
Miscellaneous			23,347	22,744	20,000	13,000	13,000	
Toddy revenue	4,50,393	4,75,017	4,87,029	4,52,643	4,80,000	4,59,500	4,59,500	Increase in revised is due to the raising of duty on country spirits in Calcutta.
Opium and its preparations	8,96,519	12,52,622	15,70,101	15,02,553	15,00,000	16,52,000	16,52,000	
Other drugs, ganja, bhang, etc. ...	16,32,491	18,02,202	19,55,697	17,23,889	17,10,000	18,40,500	18,40,500	
Pachwai revenue	8,30,129	8,46,669	9,15,582	9,22,205	9,60,000	8,50,000	8,50,000	
Total ...	1,08,97,789	1,19,87,808	1,22,67,498	1,16,29,665	1,18,00,000	1,12,00,000	1,14,00,000	
Gain on sale-proceeds of excise opium ..	14,79,610	14,90,547	13,65,636	16,42,213	14,50,000	14,00,000	13,00,000	Decrease is attributed to diminished consumption and restricted issue of opium.
Duty on ganja	14,37,379	18,72,650	16,98,764	18,14,514	17,50,000	18,50,000	18,50,000	
Fines, confiscations and miscellaneous ...	34,267	37,573	42,726	53,682	50,000	50,000	50,000	
GRAND TOTAL ...	1,37,59,045	1,53,88,578	1,53,74,624	1,51,40,074	1,50,50,000	1,45,00,000	1,46,00,000	Revised based on eleven months' actuals.

VI—Provincial Rates—

Heads	Actuals. 1912-13.	1913-14	1914-15	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	Remarks
1	2	3	4	5	6	7	8	9
	Rs.	Rs	Rs	Rs	Rs	Rs.	Rs.	
Public Works Cess	30,96,008	.....	57,231	1,27,682	.....	40,000	.....	Represents the collection of arrears of Public Works Cess which accrued in 1912-13 and previous years, *i.e.*, prior to the surrender of these cesses to the District Boards. No arrears are expected to be left for collection next year.
General rates for the management of private estates	1,06,144	1,31,340	1,13,222	1,06,171	1,04,000	1,05,000	1,18,000	Revised based on 8+4 months' actuals. Estimate has been framed in accordance with the prescribed rates on the gross estimated income of the estates under management.
Total ...	32,02,152	1,31,340	1,70,453	2,33,853	1,04,000	1,45,000	1,18,000	

VIII—Income Tax—

Deductions by Government from salaries and pensions, etc.	4,86,852	5,04,822	5,19,520	5,22,887	6,00,000	7,40,000	7,40,000	Increase both in revised and budget due to the raising of the rates.
Deductions by Government from interest on Government securities	21,192	24,052	22,497	21,104	30,000	40,000	50,000	
Deductions from salaries, etc., paid by local authorities or companies	88,660	94,440	94,608	90,967	90,000	1,10,000	1,10,000	
Income-tax on securities of local authorities or companies	1,43,568	1,55,151	1,64,820	1,71,313	1,60,000	3,60,000	4,00,000	
Ordinary collections	47,89,658	58,39,275	61,61,745	63,92,339	97,75,000	1,47,25,000	1,66,75,000	Increase in revised is due to the large profits earned by the jute mills and other industrial concerns in 1915-16 which came under assessment in 1916-17. Budget provides for larger receipts in anticipation of increased profits in the jute and coal trades.
Penalties	13,448	11,790	11,091	17,477	15,000	15,500	15,000	
Miscellaneous	8,274	8,386	9,739	10,438	10,000	9,000	9,000	
Deduction from profits of Railway Companies	.....	.....	590	86	.....	500	1,000	
Total ...	55,51,652	66,37,916	69,84,610	72,26,611	1,06,80,000	1,60,00,000	1,80,00,000	Revised based on eleven months' actuals.

...	[illegible]	[illegible]	12,42,027	10,85,354	11,00,000	11,70,000	12,40,000	Increase in revised is caused by larger sales of timber in the Sundarbans where exploitations have been resumed on the cessation of military operations and in Buxa where timber was left unsold in 1915-16.
Confiscated drift and waif wood ...	1,836	5,320	8,092	6,940	4,000	8,000	8,000	
Miscellaneous	49,520	58,169	53,168	51,988	44,000	57,000	50,000	
Total ...	16,00,601	16,16,111	13,04,496	11,45,610	11,50,000	12,40,000	13,00,000	Revised based on eleven months' actuals. Budget allows for a moderate increase in anticipation of an improvement in the timber market.

X—Registration—

Fees for registering documents ...	16,83,575	18,54,426	16,59,643	18,85,499	19,00,000	19,85,000	20,30,000	Increase is attributed to the prevailing high prices which have increased registration.
Fees for copies of registered documents ...	63,164	73,930	72,535	70,625	70,000	75,000	80,000	
Miscellaneous	76,422	87,788	80,690	79,944	80,000	80,000	90,000	
Total ...	18,23,161	20,16,144	18,12,868	20,36,068	20,50,000	21,40,000	22,00,000	Revised based on nine months actuals. Budget allows for normal increase

XII—Interest—

Class I.—Interest on advances to cultivators—								
On advances to cultivators under the Land Improvement Loans Act of 1883 ..	20,958	15,587	10,069	8,345	1,40,000	1,33,000	1,20,000	
On advances to cultivators under the Agriculturists Loans Act XXII of 1884	36,469	16,107	19,293	31,254				
On loans to Co-operative Credit Societies	1,672	3,449	2,208	2,245	2,000	2,000	2,000	
Class II.—Interest on advances under Special Laws—								
On drainage and embankment advances ...	14,735	3,500	2,160	—7,225	10,000	9,000	9,000	Both revised and budget based on the estimated mean balance of the loan account
Class III.—Interest on loans to landholders, etc.	1,97,580	1,65,429	1,48,019	1,87,745	2,08,000	1,50,000	1,50,000	
Class IV.—Interest on loans to municipal and other public corporations (excluding Presidency Corporations)	2,00,145	2,01,426	2,07,690	2,18,036	2,80,000	2,95,000	2,94,000	No interest is expected to be realized from the Nawab of Dacca.
Interest on Government securities ...	10,545	10,545	11,554	12,000	12,500	12,000	12,000	
Total ...	4,82,104	4,16,043	4,00,993	4,52,400	6,52,500	6,01,000	5,87,000	

XII—Interest—concluded.

HEADS	ACTUALS 1912-13	1913-14.	1914-15.	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	REMARKS
1	2	3	4	5	6	7	8	9
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Miscellaneous—								
Interest on arrears of Public Works Cess	13,361	11,053	12,970	10,028	.....	14,200	.....	No interest is expected to be realized as no arrears will be left for collection
Other items	5,001	2,640	84	533	1,000	400	1,000	
Interest on zamindari embankment recoveries, etc.	247	263	439	294	500	400	.....	
Total Miscellaneous ...	18,609	13,956	13,493	10,861	1,500	15,000	1,000	
GRAND TOTAL ...	5,00,713	4,29,999	4,14,486	4,63,231	6,54,000	6,16,000	5,88,000	

XVIA—Law and Justice—Courts of Law—

Sale-proceeds of unclaimed and escheated property	28,892	27,509	27,168	22,546	25,000	24,000	24,000	
Court-fees realized in cash	64,124	63,893	66,350	82,015	75,000	1,00,000	1,00,000	Increase in the collection of process-serving fees in cash.
General fees, fines and forfeitures ...	6,55,040	6,89,369	7,09,869	6,75,747	6,75,000	7,00,000	7,00,000	
Pleadership Examination fees ...	32,385	29,683	24,724	22,850	23,000	24,000	23,000	Receipts are falling off gradually.
Miscellaneous fees and fines	5,855	4,898	3,933	5,686	4,000	5,000	5,000	
Miscellaneous	28,605	27,459	28,095	35,125	28,000	31,000	30,000	
Total ...	8,14,901	8,42,811	8,60,139	8,43,999	8,30,000	8,84,000	8,82,000	[illegible]

								Dacca.
Jute manufactures	7,01,997	6,71,108	8,31,893	9,01,245	8,00,000	10,50,000	11,00,000	Increase in revised was caused by the increased supplies of gunny, bandages and blankets to the Military Department and larger supplies to the Police Department.
Total ...	7,03,353	6,71,947	8,34,256	9,09,148	8,02,000	10,51,000	11,02,000	Revised based on eight months' actuals. It is expected that the supplies to the Military Department will continue in 1917-18.

XVII—Police—

Cash receipts under the Arms Act ...	937	777	934	724	500	700	1,000	
Police supplied to public departments, private companies and persons	1,13,200	14,861	26,707	23,115	17,000	16,000	21,000	The actuals of 1915-16 included a special receipt of Rs. 8,000.
Presidency police	89,566	1,08,456	1,10,160	1,24,496	1,11,000	1,14,000	1,05,000	The actuals of 1915-16 included a special receipt of Rs. 13,000. Revised includes larger receipts from the Motor-cycles Act. Decrease in budget is due to reduction under Police supplied to private individuals owing to the formation of a Jetty Police guard as the recoveries for the latter will be taken in reduction of expenditure.
Recoveries on account of village police ...	383	267	340	267	300	300	300	
Fees, fines and forfeitures	15,880	15,332	13,820	14,599	12,000	15,500	14,700	
Miscellaneous	13,116	16,989	25,458	16,662	17,000	18,500	18,000	
Superannuation receipts	.....	2	.....	.....	.....	.....	.....	
Police supplied to municipalities cantonments and town funds	.....	.....	.....	11,003	9,000	10,000	11,000	Represents amounts recoverable from the Calcutta Corporation for guards supplied to protect the water-works.
For remitting ...	.....	.....	.....	.....	+200	.....	.....	
Total ...	2,39,082	1,56,684	1,77,419	1,90,866	1,67,000	1,75,000	1,71,000	Revised based on nine months' actuals.

XVIII—Ports and Pilotage—

Heads.	Actuals 1912-13.	1913-14.	1914-15.	1915-16	1916-17. Sanctioned estimate	Revised estimate	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
Sale-proceeds of vessels and stores ...	1,578	943	119	.....	1,000	.....	.....	
Registration and other fees, Calcutta ...	91,486	96,323	87,325	76,189	80,000	75,000	77,000	
Pilotage receipts, Calcutta	15,22,201	14,55,086	13,08,044	11,92,485	11,60,000	9,96,000	10,00,000	Decrease in revised is due to the effect of the war on shipping. Budget follows the revised as no material variation is expected in trade
Lead-money for volunteers	11,472	8,736	6,563	3,632	8,000	4,000	3,500	
Miscellaneous	1,25,454	1,15,516	1,50,937	1,67,256	1,76,000	1,30,000	1,00,000	Decrease in revised is on account of the return of the steamer *Guide* to this Government after duty at Port Blair with effect from 12th June 1916 and the non-realization of credits at Rs. 6,000 per mensem given by the Government of India. Budget includes nothing for the hire of the steamer *Guide*.
For rounding ...	.....	.....	.....	.....	.....	.....	+500	
Total ..	17,52,191	16,76,604	15,52,988	13,49,562	14,25,000	12,05,000	11,81,000	Revised based on nine months' actuals.

XIX—Education—

Fees, Government Colleges—								
General	3,00,593	3,07,447	3,31,479	3,21,927	3,26,000	3,38,000	3,35,000	
Professional	49,713	61,468	59,727	60,892	60,000	62,000	61,000	
Fees, Government Schools—								
General	3,45,875	3,62,836	3,85,950	3,99,873	4,34,000	4,29,000	4,30,000	
Special	15,009	14,071	13,086	33,365	28,000	34,000	34,000	Increase in revised is mostly due to the credit of madrasah fees to Provincial Revenues instead of to the Mohsin Fund.
Contributions from Native States, private persons and municipalities	14,667	13,609	14,865	18,431	15,000	15,000	18,000	
Income from endowments	111	.....	.....	.....	.....	.....	.....	
Miscellaneous	51,708	51,522	42,003	52,086	42,000	54,000	50,000	

... ...	1,55,537	1,62,630	1,61,739	1,42,804	1,60,000	1,48,000	1,42,000	Increase is due to enhancement of fees in the Medical College.
Lunatic Asylum receipts	26,108	22,919	22,825	21,668	21,000	25,000	21,000	Revised based on nine months' actuals. Budget follows the actuals of 1915-16.
Contributions (from municipalities and private persons)	55,181	57,599	73,560	65,176	62,000	64,000	64,000	
Medicines sold by Civil Surgeons ...	37,293	62,864	3,533	115	500	100	.....	
Miscellaneous	15,871	15,946	29,417	25,183	20,000	21,900	20,000	
For rounding ...	.....	.....	.....	.....	+500	.....	.....	
Total ...	3,76,733	4,18,537	3,92,348	3,59,574	3,69,000	3,74,000	3,62,000	Revised based on the actuals of nine months.

XXB—Sanitation—

Sanitation and Vaccination receipts ...	50,000	1,770	2,210	660	12,000	93,000	12,000	Revised includes contributions from the Indian Research Fund Association—Rs. 50,000 for anti-malarial measure, Rs. 30,600 for testing vital statistics and also Rs. 12,000 for enquiries in connection with diabetes. Budget represents the last item. The actuals of 1912-13 represent contributions from the Indian Research Fund for jungle-cutting.

XXIA—Agriculture—

Botanical Garden Receipts	3,871	597	355	1,489	1,000	500	500	
Birch Hill Park at Darjeeling and Lebong Forest		2,130	2,354	1,986	1,900	2,500	1,800	
Other Government gardens		456	.....	200	200	200	200	
Miscellaneous		96	1,007	.....	.....	.....	.....	
Receipts on account of experimental cultivation	42,515	44,474	40,147	58,487	60,000	64,000	62,500	
Receipts from public exhibitions and fairs ...	.....	33	8	.....	.....	.....	.....	
Veterinary receipts	33,258	30,670	27,807	38,924	31,000	38,000	40,000	
For rounding ...	.....	.....	.....	.....	—100	.....	.....	
Total ...	79,644	78,756	71,678	1,01,156	94,000	1,05,000	1,05,000	Revised based on eight months' actuals. Budget follows revised.

XXIB—Scientific and Miscellaneous Departments—

Heads.	Actuals. 1912-13.	1913-14.	1914-15.	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Scientific—								
Cinchona Plantations	99,509	1,70,950	4,10,258	5,47,871	4,70,000	7,00,000	7,32,400	Increase due to larger sale of quinine to the Military and other departments.
Labour and Emigration—								
Emigration fees	24,630	17,280	6,179	11,749	5,000	8,000	8,000	
Inland labour transport fees ...	8,396	8,238	4,633	3,734	2,000	2,000	1,000	
Miscellaneous—								
Examination fees	25	237	958	737	500	1,000	1,000	
Miscellaneous	5,727	2,220	39,272	40,758	45,000	39,000	39,000	Represents chiefly fees for registration of joint-stock companies. Decrease in revised is due to reduction of fees for filing.
For rounding ...	.....	.....	.....	.....	—500	.....	—400	
Total ...	1,38,287	1,98,925	4,61,291	6,04,849	5,22,000	7,50,000	7,81,000	Revised based on nine months' actuals.

XXII—Receipts in aid of Superannuation—

Contributions for pensions and gratuities—								
Contributions of officers lent to foreign service of the first and second kinds ...	26,451	20,453	39,412	36,684	37,000	39,500	40,000	
Contributions of persons employed for the management of private estates under Act X of 1892	1,460	1,096	1,206	814	1,200	1,500	1,200	
Annuity deductions of Covenanted Civilians lent to Native States, etc., for short terms ...	4,663	3,282	3,709	3,954	4,000	4,000	4,000	
Refund of gratuities	72	.....	.....	.....	.....	.....	.....	
Deductions for Pilotage Pension Fund ...	15,564	14,055	14,240	13,131	14,000	11,000	11,000	
For rounding ...	.....	.....	.....	.....	—200	.....	—200	
Total ...	48,210	38,886	58,567	54,583	56,000	56,000	56,000	Revised based on the actuals of the first eight months. Budget follows revised.

...	[illegible]	1,091	2,915	3,213	2,000	4,000	5,000	Increase is due to recoveries on account of type-writers, the demand for which is growing year after year.
Sale of Gazettes and other publications ...	88,111	95,236	83,627	90,849	88,000	90,000	90,000	Follows the actuals of 1915-16.
Other Press receipts	29,193	41,625	63,961	39,333	37,000	49,000	43,000	The actuals of 1914-15 included special receipts from the sale of waste paper and unserviceable materials from the Dacca Jail Press on its removal to Gaya.
Total ...	1,29,103	1,37,862	1,49,604	1,33,395	1,27,000	1,43,000	1,38,000	Revised based on nine months' actuals.

XXV—Miscellaneous—

Recovery on account of famine expenditure	1	.....	.....	.....	.....	90,000	.....	Revised represents sale-proceeds of *khud* rice from the Bankura relief works and manufactures by the weavers under relief.
Unclaimed deposits	6,38,026	6,01,162	5,57,187	5,42,506	5,50,000	5,38,000	5,50,000	Revised based on the deposits likely to lapse at the end of the year less the amounts likely to be refunded within the year.
Treasure-trove	500	.....	44	.....	.....	.....	.....	
Sale-proceeds of Durbar presents ...	7,225	13,293	454	1,500	3,000	3,000	3,000	
Sale of old stores and materials ..	1,727	8,420	3,774	1,638	2,000	2,000	2,000	
Sale of lands and houses, etc ...	2,742	13,767	457	925	.....	3,000	1,000	
Fees for Government audits	15,392	23,578	14,718	25,319	16,000	16,000	16,000	
Rents	14,900	16,931	12,631	14,806	15,000	14,000	14,000	
Miscellaneous fees, fines and forfeitures ..	7,108	2,961	7,700	13,125	6,000	8,000	7,000	
Contributions	702	.....	.....	.....	.....	.....	.....	
Total ...	6,88,313	6,77,170	5,96,965	5,96,819	5,92,000	6,74,000	5,93,000	Revised based on eight months' actuals.

XXV—*Miscellaneous*—concluded.

Heads	Actuals. 1912-13.	1913-14	1914-15.	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18 Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs	Rs	Rs.	Rs.	Rs.	Rs	Rs	
Miscellaneous—								
Cash recoveries of service payments in previous years	.....	.....	13,531	28,511	5,000	26,000	20,000	There was a special recovery in 1915-16.
Fees and fines of revenue courts ...	27,194	22,227	19,488	19,574	20,000	18,000	20,000	
Recoveries of law charges other than those in pauper suits	40,791	15,062	18,955	16,238	15,000	16,000	15,000	
Sundry receipts—Circuit-house ...	299	342	.....	.....	.....	.....	.....	
Miscellaneous receipts on account of Public Works Cess under Act IX (B.C.) of 1880	704	442	.....	.....	.....	.....	.....	
Miscellaneous receipts on account of the management of Wards' estates ...	107	2,970	.....	.....	.....	.....	.....	
Other items	10,754	50,547	22,118	4,066	20,000	3,000	10,000	The receipts under this sub-head are very uncertain.
Steamer receipts, Chittagong ...	4,177	.....	.....	.....	.....	.....	.....	
Total Miscellaneous ...	84,026	91,590	74,092	68,389	60,000	63,000	65,000	
Grand Total ...	7,72,339	7,68,760	6,71,057	6,65,208	6,52,000	7,37,000	6,58,000	Revised based on the actuals of the first eight months.

XXIX—*Irrigation—Major Works—(Receipts)*—

Midnapore Canal	2,20,782	2,10,152	2,23,591	2,29,091	2,10,000	2,45,000	2,24,000	Increase in revised is chiefly in the water-rates and is due to the area under lease being greater than anticipated in the budget. It is not anticipated that the area will remain the same in 1917-18 and this accounts for decrease in that year.
Hijli Tidal Canal	53,136	36,427	30,371	48,988	47,000	45,000	44,000	
Total ...	2,73,918	2,46,579	2,53,962	2,78,079	2,57,000	2,90,000	2,68,000	
Provincial share ...	1,36,959	1,23,290	1,26,981	1,39,040	1,29,000	1,45,000	1,34,000	

...	49,850	48,842	49,450	52,815	50,000	50,000	50,000	Represent the collections under the contract system of zamindari embankment which is at present in force in the Midnapore district.
Provincial share ...	24,925	24,421	24,725	26,407	25,000	25,000	25,000	
In charge of the Public Works Department.								
(Irrigation and Navigation Works.)								
Works for which Capital and Revenue accounts are kept—								
Orissa Coast Canal	16,346	11,484	.....	....	.....	.....	.....	
Calcutta and Eastern Canals ...	4,21,908	3,76,032	3,21,078	3,23,194	3,21,300	3,24,000	3,17,000	
Madaripur Bhil scheme	1,03,225	89,332	67,522	1,87,713	1,78,000	3,30,000	3,21,000	Increase is attributed to increased traffic in jute from held-up stocks, to the improvements recently carried out in the Lower Kumar at Char Maguria and to the construction of the bund and sluices on the south bank. The increase in 1916-17 may not continue in 1917-18 and hence the decrease in the budget.
Total ...	5,41,479	4,76,848	3,88,600	5,10,907	4,99,300	6,54,000	6,38,000	
Works for which only Revenue accounts are kept—								
Orissa Coast Canal	.....	.....	9,700	11,116	12,000	11,000	10,000	
Nadia rivers	28,986	24,832	16,371	16,318	15,200	15,900	15,200	
Gaighatta and Buxi *thals* ...	3,675	4,244	5,032	4,025	4,000	3,000	3,000	
Total ...	32,661	29,076	31,103	31,459	31,200	29,900	28,200	
Works for which neither Capital nor Revenue accounts are kept—								
Eden Canal	36,531	32,803	1,730	37,012	39,500	45,500	46,700	
Total Irrigation and Navigation Works	6,11,671	5,38,727	4,39,442	5,79,378	5,70,000	7,29,400	7,12,900	
(Agricultural Works.)								
Works for which only Revenue accounts are kept—								
Magra Hât drainage project ...	2,489	4,277	2,478	23,864	27,000	23,000	25,000	
Works for which neither Capital nor Revenue accounts are kept—								
Government embankments ... / Takavi embankments under contract ...	27,050	22,036	26,546	24,487	23,000	23,600	22,100	
Total Agricultural Works ...	29,539	26,313	47,024	48,351	50,000	46,600	47,100	
Total in charge of the Public Works Department	6,40,210	5,65,040	4,86,466	6,27,729	6,20,000	7,76,000	7,60,000	
Provincial share ...	3,20,105	2,82,520	2,43,233	3,13,865	3,10,000	3,88,000	3,80,000	

XXXI—Civil Works—

Heads	Actuals. 1912-13.	1913-14.	1914-15.	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs	Rs.	Rs.	Rs.	Rs	Rs	Rs.	
In charge of the Civil Department								
Tolls on ferries	1,33,829	1,54,595	1,32,885	1,36,828	1,47,000	1,48,000	1,50,000	Increase is due to resettlement of ferries in certain districts.
Arboriculture	1,191	604	.....	.....	.....	.....	.....	
Rent	3,905	1,177	4,653	174	2,500	1,500	900	
Miscellaneous	3,598	8,531	8,287	8,829	8,700	8,000	8,000	
Fees on masonry graves	.....	1,127	599	614	700	500	50	
Refund	.....	.....	69	47	100	1,13,000	50	Refunds by Narayanganj and other Municipalities of the unspent balances of the grants made to them.
Total in charge of the Civil Department	1,42,523	1,66,034	1,46,493	1,46,492	1,59,000	2,71,000	1,59,000	
In charge of the Public Works Department.								
Total gross receipts ..	3,85,036	4,34,258	5,62,750	4,72,054	4,30,000	5,17,000	4,30,000	Increase in revised is chiefly due to recovery of Government share of the surplus profits of the Darjeeling-Himalayan Railway for 1915-16 and progressive growth of rent of Government buildings. Budget based on the average actuals excluding special items.

Transfers between Imperial and Provincial Revenues—

From Provincial to Imperial.							
Fixed assignment under the Provincial Settlement	7,28,000	7,28,000	7,28,000	7,28,000	7,28,000	7,28,000	7,28,000
For repairs to Nizamat Palace, Murshidabad	.....	40,000	.....	.....	.....	.....	.....
For Law charges on account of Bihar and Orissa	.....	15,000	15,000	15,000	15,000	15,000	15,000
For Collegiate and University education in Bihar and Orissa	.....	21,000	21,000	21,000	21,000	21,000	21,000
Contribution to Bihar and Orissa for training of shoals in the Ganges ...	.....	.....	.....	12,500	12,000	12,000	12,000
Contribution to Bihar and Orissa for construction of Ranchi Lunatic Asylum for Indians	.....	.....	.....	.....	.....	.....	1,50,000
For premises No. 9, Hare Street			9,550	9,550	9,000	9,000	9,000

Total ...	7,28,000	8,06,454	7,73,550	7,86,056	30,75,000	43,07,000	51,07,000	
From Imperial to Provincial.								
Assignment in connection with further scientific researches by Sir J. C. Bose ...	.....	.....	9,000	39,650	32,000	32,000	32,000	
For Famine Relief scheme	60,000	60,000	60,000	60,000	60,000	60,000	.....	The procedure will be changed as explained in paragraph 62 of the statement.
Grant to the Calcutta Improvement Trust ...	1,50,000	1,50,000	1,50,000	1,50,000	1,50,000	1,50,000	1,50,000	
Recurring grant for popular education ...	9,25,000	9,25,000	9,25,000	9,25,000	9,25,000	9,25,000	9,25,000	
Recurring grant for aided English Secondary Schools	1,50,000	1,50,000	1,50,000	1,50,000	1,50,000	1,50,000	1,50,000	
Further recurring grant for education ...	.....	.....	1,50,000	1,50,000	1,50,000	1,50,000	1,50,000	
Recurring grant for education of domiciled community	40,000	40,000	40,000	40,000	40,000	40,000	40,000	
Contribution for a grant to the C. M. S. College, Calcutta	.....	6,000	6,000	6,000	6,000	6,000	6,000	
For Improvement of Female education ...	.....	30,000	30,000	30,000	30,000	30,000	30,000	
Grant for improvement of pay and training of teachers	.....	.....	.....	.....	.....	.....	9,00,000	
Contribution for maintenance of Traffic Registration Office, Bhairab Bazar ...	.....	.....	1,250	1,250	1,000	1,000	1,000	
Contribution for Royal Bonus	1,227	.....	.....	.....	.....	.....	.....	
Non-recurring grant for the construction of hostels outside Calcutta and Dacca ...	4,00,000	.....	.....	.....	.....	.....	.....	
Grant for the development of University works, Calcutta	4,00,000	.....	.....	.....	.....	.....	.....	
Ditto (recurring)	65,000	65,000	65,000	65,000	65,000	65,000	65,000	
Assignment for Belgachia Veterinary College	30,000	30,000	30,000	30,000	30,000	30,000	30,000	
Ditto recovery of the cost of transmission of records by revised procedure introduced by the Court-fees Act ...	6,440	6,440	6,440	6,440	6,000	6,000	6,000	
Grant for the amalgamation of the clerical establishment of the Art Section of the Indian Museum with the School of Art ...	1,190	1,190	1,190	1,190	1,000	1,000	1,000	
Provincialization of expenditure on account of salaries of officers of the Civil Veterinary Department	.....	.....	29,307	29,307	29,000	29,000	29,000	
Assignment for purchase of copies of Indian Household Reference Chart and the Indian Household Emergency Chart ...	.....	.....	1,600	.....	.....	.....	.....	
Provincialization of the amalgamated establishment employed in the audit of accounts of local authorities in Calcutta ...	.....	.....	.....	.....	.....	11,000	22,000	
For Archæological expenditure	.....	.....	.....	8,000	.....	.....	.....	
For remission of recoveries from local bodies	.....	.....	25,881	25,881	26,000	26,000	26,000	
Non-recurring grant for the construction of hostel buildings in Calcutta	10,00,000	.....	.....	.....	.....	.....	.....	
Non-recurring grant for Dacca University ...	10,00,000	.....	1,00,000	1,00,000	1,00,000	1,00,000	1,00,000	

Transfers between Imperial and Provincial Revenues—concluded.

Heads.	Actuals 1912-13	1913-14.	1914-15	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
From Imperial to Provincial—concluded.	Rs	Rs.	Rs.	Rs.	Rs.	Rs	Rs.	
Recurring grant for Dacca University ...	45,000	45,000	45,000	45,000	45,000	45,000	45,000	
Contribution from Bihar and Orissa towards pay of electrical staff utilised by it ...	7,572	7,572	7,572	7,572	8,000	.....	.....	
Grant for pensions of title-holders ...	2,700	2,700	2,700	2,700	3,000	3,000	3,000	
Lieutenant-Colonel Sutherland's deputation for serological enquiry and that of Captain Shingleton Smith	17,256	46,352	25,778	32,195	35,000	.....	.....	
Grant of one-half of the salaries of Health Officers to be employed in municipalities	39,000	39,000	58,400	58,200	39,000	39,000	39,000	
Grant for Indian Deputy Sanitary Commissioners	.....	19,000			19,000	19,000	19,000	
Cost of supply of forms and printing work done for Bihar and Orissa Government ...	2,32,000	2,09,000	1,96,300	64,424	.....	.....	.....	The Bihar Government have opened a Jail Press in Gaya and no forms are now supplied by Bengal.
Cost of supplying forms to Assam Administration	1,29,500	89,000	60,376	1,86,420	1,50,000	1,93,000	2,00,000	
Classification of rewards on confiscation of opium under "7—Excise"	.....	.....	.....	20,500	.....	21,000	21,000	
Contribution from Bihar and Orissa in connection with fishery experiments ...	.....	.....	8,053	.....	6,000	.....	2,000	
Non-recurring assignment for sanitation ...	20,00,000	.....	.....	.....	.....	.....	.....	
Recurring ditto ...	.....	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	
Assignment for the Chittagong port ...	.....	75,000	75,000	75,000	75,000	75,000	75,000	
For adjustment of recovery claims for freights on stores from England in the office of the Agent for Government Consignments	.....	.....	6,581	12,940	11,000	11,000	11,000	
Non-recurring assignment for discretionary grants	12,00,000	.....	.....	.....	.....	.....	.....	
Grant for agriculture and allied objects ...	.....	1,50,000	.....	.....	.....	.....	.....	
Grant for medical relief	.....	1,00,000	.....	.....	.....	.....	.....	
Recurring assignment in connection with the remission of appropriations from cesses ...	.....	24,93,000	24,93,000	24,93,000	24,93,000	24,93,000	24,93,000	
Non-recurring assignment for education ...	75,00,000	.....	.....	.....	.....	.....	.....	
Recurring grant for education	.....	13,20,000	13,20,000	13,20,000	13,20,000	13,20,000	13,20,000	
Grant to the Calcutta University for hostels	.....	.....	10,00,000	.....	.....	.....	.....	
For adjustment of erroneous credit of the collections in Government estates under "Ordinary collections" in 1914-15 and 1915-16	.....	.....	.....	.....	.....	1,66,000	.....	
Total Transfers from Imperial to Provincial	1,54,01,885	65,59,254	75,79,428	66,35,669	65,05,000	66,97,000	73,91,000	

[Figures in columns 7 and 8 are those which have been passed by the Government of India.]

[The remarks in column 9, except where otherwise specially explained, refer to differences between columns 6 and 8.]

1.—*Refunds and Drawbacks*—

Heads.	Actuals.				1916-17.		1917-18.	Remarks.
	1912-13.	1913-14	1914-15.	1915-16.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8	9
	Rs	Rs.	Rs.	Rs	Rs	Rs	Rs.	
Land Revenue	21,090	20,115	17,115	17,971	20,000	28,000	18,000	
Stamps	94,552	79,835	98,969	85,473	92,000	86,000	86,000	The actuals of 1912-13 and 1914-15 include special refunds of Rs. 14,000 and Rs. 19,000 respectively
Excise	13,504	16,843	48,042	65,127	25,000	48,000	40,000	Increase in 1915-16 was due to a special refund of Rs. 17,000. In 1914-15 there were special refunds of license fees.
Income-tax	8,367	8,654	17,245	10,611	8,000	70,000	15,000	Larger payments anticipated in view of the increase in duty. There was a special refund to the Russian Trading Company in 1914-15
Forest	1,274	4,389	588	648	1,000	500	1,000	
Provincial Rates	747	2,849	16,726	—276	1,000	500	1,000	
Registration	4,501	2,989	2,221	2,717	3,000	2,000	2,000	
Total ...	1,44,035	1,35,656	2,00,906	1,81,371	1,50,000	2,35,000	1,63,000	Revised based on the actuals of the first nine months. Budget based on the average of last three years actuals excluding special payments.

2.—*Assignments and Compensations*—

Land Revenue Compensation	.....	133	34	71	6	100	6	
Pension in lieu of resumed lands ...	927	706	692	1,048	1,000	900	1,000	
Malikana	49,978	26,320	33,540	28,911	34,000	40,000	34,000	Increase in revised is for payment of arrears. The actuals of 1912-13 included arrears also.
For rounding ...	.....	.....	.....	.....	—6	.....	—6	
Total ...	50,905	27,159	34,273	29,030	35,000	41,000	35,000	Budget based on actual claims.

3.—*Land Revenue*—

Heads.	Actuals. 1912-13.	1913-14.	1914-15.	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs	Rs.	Rs.	Rs.	Rs	Rs.	Rs.	
Charges of District Administration—								
General Establishment	23,35,332	24,18,192	24,40,121	25,60,737	25,78,000	25,86,000	25,61,000	Budget includes provision for the employment of settlement kanungos as Circle officers and increase of pay of certificate muharrirs.
Subdivisional Establishment	1,59,479	1,67,515	1,70,364	1,71,886	1,50,000	1,74,000	1,55,500	Budget includes larger grant for temporary establishment and for additional establishment for the new Kalimpong subdivision.
Partition Establishment	—23,624	—19,274	—16,621	1,840	—18,000	—22,000	—10,000	Budget provides for smaller recoveries.
Record-room (or copy-making) Establishment	17,790	17,943	19,689	22,919	18,000	20,000	22,000	Budget includes larger grant for record-room establishment in Dacca.
Survey of waste lands	8,136	1,465	1,726	1,690	2,000	2,000	2,000	
Management of private estates under Act X of 1892	22,729	23,832	23,366	20,438	22,000	21,000	21,000	
Collector's Road Cess Establishment ...	.....	.....	—6,532	—5,231	—5,000	—6,000	—5,000	
Kanungo establishment	61,606	67,983	73,652	88,291	71,000	90,000	75,000	Budget includes larger grant for travelling allowance and temporary establishment. Revised based on actuals.
For rounding ...	.....	.....	.....	.....	.....	.....	—500	
Total ...	25,81,448	26,77,656	27,05,765	28,62,570	28,18,000	28,65,000	28,21,000	
Charges on account of Land Revenue collections	13,280	17,348	10,685	17,369	15,000	15,000	15,000	
Charges on account of Fishery collections ...	250	.....	.....	.....	.....	.....	.....	
Management of Government Estates—								
Collection of revenue	2,77,208	2,88,093	3,11,677	2,88,254	3,30,000	3,31,000	3,39,000	
Outlay on improvements	1,62,571	1,50,822	2,27,859	1,50,946	1,19,000	1,17,000	1,91,000	Budget based on the estimate of collections from Government estates which shows large increase over budget for 1916-17
Total ...	4,39,779	4,38,915	5,39,536	4,39,200	4,49,000	4,48,000	5,30,000	
Survey and Settlement—								
Controlling Office (survey)	—224	88	16,284	8,683	.....	.....	.....	
Other survey operations—								
Bengal Drawing Office	8,696	52,378	—3,789	20,109	35,451	52,000	53,657	
Other operations	45,776	1,32,936	—7,604	16,834	53,159	36,000	49,737	
Minor settlement operations	49,545	74,471	64,952	41,121	.....	.....	.....	
Other ditto	32,084	—16,008	.....	.....	13,000	16,000	22,839	
For rounding ...	.....	.....	.....	.....	—1,610	.....	—233	
Total								

Total ...	65,494	62,991	64,141	70,801	70,000	64,000	65,000	provision for the revision of the record-of-rights.
GRAND TOTAL ...	32,36,128	34,40,775	33,89,970	34,76,687	34,52,000	34,96,000	35,57,000	

6.—Stamps—

Superintendence—								
District Establishment	28,133	26,802	27,446	26,216	34,000	30,000	31,000	Decrease in revised is for non-utilization of the provision for regrant of saving of the contingent grant
Charges for the sale of general stamps—								
Discount on sale of bills-of-exchange or hundies	6,323	7,229	2,301	1,110	5,000	.....	3,000	
Discount on sale of other general stamps	2,03,659	2,26,742	1,82,999	2,19,018	2,14,000	.....	2,25,000	
Total ...	2,09,982	2,33,971	1,85,300	2,20,128	2,19,000	2,45,000	2,28,000	Increase follows the increase in receipts.
Charges on sale of court-fee stamps—								
Discount on sale of adhesive stamps ...	1,03,350	1,05,997	1,00,202	1,07,110	1,03,000	1,19,000	1,20,000	
Discount on sale of stamps for copies	6,117	7,480	8,154	7,837	8,000	8,000	8,000	
Establishment for sale of stamps ...	1,033	1,023	1,243	342	1,494	.....	30	Decrease due to transfer of establishment of the Calcutta and 24-Parganas establishment to Superintendence
For rounding ...	.....	.....	.....	.....	+506	.....	—30	
Total ...	1,10,500	1,14,500	1,09,599	1,15,289	1,13,000	1,27,000	1,28,000	
Discount on plain paper	18,309	20,323	19,008	20,093	20,000	21,000	21,000	
Stamp paper supplied from Central Stores	3,40,446	3,27,536	2,80,912	2,00,984	3,10,000	2,10,000	2,20,000	Decrease in revised is due to a fall in the consumption of plain paper in certain districts.
GRAND TOTAL ...	7,07,370	7,23,132	6,22,265	5,82,710	6,96,000	6,33,000	6,28,000	Revised based on nine months' actuals.
Provincial share ...	3,53,685	3,61,566	3,11,133	2,91,355	3,48,000	3,17,000	3,14,000	

7.—Excise—

Superintendence	80,416	1,01,530	1,17,886	1,20,855	1,21,000	1,16,000	1,41,000	Increase due to the appointment of an additional Deputy Commissioner, larger grant for travelling allowances and contingencies. Decrease in revised is due to delay of a portion of salaries to Presidency Establishment
Presidency Establishment—								
Calcutta Collectorate (office) ...	48,494	46,626	45,669	41,418	48,552	47,000	44,052	
Inspection and Prevention ...	22,409	22,725	25,052	40,985	31,104	65,500	39,144	
Allowances and Contingencies ...	28,322	25,369	25,111	43,094	37,681	60,500	55,820	Budget includes larger grant for rewards and fees to Pleaders.
For rounding ...	.....	.....	.....	.....	—347	.....	—16	
Total ...	99,225	94,720	95,832	1,27,497	1,17,000	1,73,000	1,30,000	Increase in revised is under Salaries of preventive officers, establishment and rewards

7.—*Excise*—concluded.

Heads.	Actuals 1912-13	Actuals 1913-14.	Actuals 1914-15.	Actuals 1915-16.	1916-17 Sanctioned estimate.	1916-17 Revised estimate	1917-18. Budget estimate	Remarks.
1	2	3	4	5	6	7	8	9
	Rs.	Rs	Rs.	Rs	Rs	Rs.	Rs.	
District Executive Establishment—								
Sadar Establishment	73,897	76,255	89,196	1,23,713	1,51,969	1,48,000	1,60,000	Increase in budget is for transfer of servants from Inspection and prevention as well as transfer of the salary of superintendents from Distillery. Increase in revised is for travelling allowances of officers.
Inspection and Prevention ...	1,36,035	1,32,907	2,27,539	2,80,839	3,89,244	2,93,000	3,72,000	
Allowances, etc.	87,553	98,383	1,36,162	1,29,562	1,42,436	1,49,000	1,43,980	
Bonus	53	.....	.....	.....	.....	.....	.....	
For rounding ...	.....	.....	.....	.....	—80,649	.....	—50,980	
Total ...	2,97,538	3,07,545	4,52,897	5,49,114	6,03,000	5,90,000	6,25,000	
Distilleries—								
Presidency Establishment	13,690	11,335	12,419	11,363	9,000	10,000	12,000	
District Establishment	1,06,788	1,10,613	2,36,140	1,77,029	1,89,000	1,75,000	1,92,000	Decrease in revised is for savings under Contingencies.
Total ...	1,20,478	1,21,948	2,48,559	1,88,392	1,98,000	1,85,000	2,04,000	
Deduct—Fixed share chargeable to "5—Salt"	.....	.....	1,97,589	2,00,000	2,00,000	2,00,000	2,00,000	
Provincial share ...	5,97,657	6,25,743	7,17,585	7,74,858	8,39,000	8,70,000	9,00,000	

8.—*Provincial Rates*—

Collection of rates and cesses	62,050	62,898						The expenditure is debited to the head "3—Land Revenue—Charges of District Administration" in the first instance and ultimately recovered from the District Boards, the recoveries including pension contributions taken in reduction of expenditure under that head.
Valuation and revaluation	84,320	91,104						
Bonus	245	.....						
Total ...	1,46,615	1,54,002						
Deduct—								
Proportion debitable to Local for cost of road cess collection								
Proportion debitable to Local for revaluation								
One-third share of recoveries on account of collection of arrear cesses ...	1,07,406	1,54,002						
Contribution for pension of the Cess-collecting Establishment ...								
	1,07,406	1,54,002						

			[illegible]	62,754	63,000	62,000	62,000	... the cost of temporary establishment sanctioned in October 1916 to cope with the increase of work caused by the new taxation. Budget provides for the temporary establishment for the whole year.
Total ...	1,52,937	1,54,577	1,54,085	1,52,964	1,52,000	1,61,000	1,69,000	
Provincial share ...	76,469	77,288	77,042	76,482	76,000	81,000	85,000	

11.—*Forests*—

A.—Conservancy and Works.								
I.—Timber and other produce removed from the forests by Government agency	36,767	195	904	1,038	600	1,500	700	
II.—Timber and other produce removed from the forests by consumers and purchasers	1,12,100	1,15,613	1,24,426	1,05,733	1,25,000	1,05,000	1,20,000	
III.—Confiscated drift and waif wood ...	1,370	667	828	1,136	1,400	1,000	1,400	
V.—Rent of leased forests and payment to shareholders in forests managed by Government	1,096	360	781	672	1,000	500	.....	
VI.—Live-stock, stores, tools and plant ...	18,192	27,465	25,305	10,837	19,000	11,000	16,500	
VII.—Communications and Buildings ...	1,14,704	1,03,631	1,13,262	67,668	1,00,000	60,000	76,950	Decrease in revised is for non-utilization of the provision for buildings and roads
VIII.—Demarcation, improvement and extension of forests ...	44,545	49,699	53,134	43,556	55,000	44,000	74,000	Budget includes Rs. 24,000 for the preparation of working plans of the Kurseong Forests.
IX.—Miscellaneous	3,309	3,884	4,924	6,048	5,000	7,000	7,455	
For rounding ...	.....	.....	.....	.....	.....	.....	—5	
Total A.—Conservancy and Works ...	3,32,083	3,01,514	3,23,564	2,36,698	3,07,000	2,30,000	2,97,000	Revised follow the actuals of 1915-16 and based on nine months actuals.
B.—Establishment.								
I.—Salaries	2,49,895	2,53,997	2,59,389	2,66,828	2,59,000	2,65,000	2,62,000	Increase due to increments under time-scale of pay and provision for new Rangers expected from Dehra Dun.
II.—Allowances	64,878	70,192	74,004	77,734	73,000	82,000	78,250	Increased grant for travelling allowances. Revised includes charges for grain compensation allowance by transfer from "32—Miscellaneous."
III.—Contingencies	13,938	14,454	13,978	14,375	15,000	13,000	14,710	
For rounding ...	.....	.....	.....	.....	....	.....	40	
Total B.—Establishment ...	3,28,711	3,38,643	3,47,371	3,56,937	3,47,000	3,60,000	3,55,000	
Total A and B ...	6,60,794	6,40,157	6,70,935	5,93,635	6,54,000	5,90,000	6,52,000	

12.—*Registration*—

Heads.	Actuals.				1916-17.		1917-18.	Remarks.
	1912-13.	1913-14	1914-15.	1915-16.	Sanctioned estimate.	Revised estimate	Budget estimate.	
1	2	3	4	5	6	7	8	9
	Rs.	Rs.	Rs	Rs.	Rs.	Rs.	Rs.	
Superintendence	70,135	79,069	75,189	74,457	72,000	75,000	73,000	Increase in revised is for larger expenditure under Salaries.
District Charges—								
Calcutta	30,756	32,881	27,861	28,916	26,500	29,000	26,500	
District Sub-Registrars and Sub-Registrars	9,49,109	10,13,825	10,13,878	10,23,955	10,10,000	10,24,500	10,36,000	Increase in revised is mainly under Temporary establishment and also under Contingencies for larger cost of remitting money. Budget includes Rs. 3,600 for opening new Sub-Registry offices and larger grants for contingencies with reference to past actuals.
Ex-officio Sub-Registrars	903	783	282	.....	500	500	500	
Total District Charges ...	9,80,768	10,47,489	10,42,021	10,52,871	10,37,000	10,54,000	10,63,000	
Grand Total ...	10,50,903	11,26,558	11,17,210	11,27,328	11,09,000	11,29,000	11,36,000	Revised based on nine months' actuals.

13.—*Interest on Ordinary Debt*—

Interest on Provincial Advance and Loan Account	4,42,546	4,39,897	4,39,663	4,76,626	5,10,000	5,09,000	5,14,000	Both revised and budget are based on the estimated...

Staff and household of the Governor	...	4,22,279	3,06,916	3,65,213	2,88,767	3,35,000	2,74,000	3,63,000	Decrease in revised is owing to the deputation of the Surgeon to the Military Department and to savings in the Body Guard establishment. Budget includes inauguration grant for the renewal of furniture and carpets for Government houses, allowance and equipment for voyage of the new Governor and cost of two new motor-cars to be purchased for his use.
Sumptuary allowance of the Governor	...	.....	.....	.....	.....	.....	30,000	30,000	In previous years this charge was included under staff and household of the Governor but a new head has been opened under the instruction of the Comptroller-General.
Tour and establishment grant ...	...	1,48,628	1,25,885	71,640	68,528	73,000	79,000	73,000	
Delhi Coronation Durbar ...	...	22,146	.....	.....	.....	.....	.....	.....	
Tour expenses ...	...	...	.....	.....	44,065	53,843	60,000	52,000	65,000	Budget includes additional grant for special tours.
Legislative Department ...	...	1,03,961	1,46,576	1,31,424	1,11,589	1,31,000	1,18,000	1,31,000	Decrease in revised is for the permanent Secretary being on leave out of India.
Civil Secretariat ...	...	...	7,61,442	7,94,853	8,47,883	8,66,398	8,68,000	9,19,000	9,13,000	Increase in revised is for charges of officers on special duties in the Secretariat. Budget includes pay for the Additional Chief Secretary and an Additional Financial Under-Secretary
Executive Council ...	...	...	2,15,680	2,25,735	2,23,184	2,23,978	2,19,000	2,26,000	2,25,000	Both revised and budget include larger grant for travelling allowances of members.
Board of Revenue ...	...	...	2,47,992	2,04,400	1,09,425	1,51,263	1,34,000	1,12,000	1,31,000	Increase in 1915-16 is for the payment of arrear pay of Lady Adviser to the Court of Wards. Decrease in revised is for larger recoveries from other Governments for charges of Wards Estates Department which are adjusted as minus expenditure.
Commissioners ...	...	...	3,93,518	4,08,974	4,01,005	3,95,079	3,89,000	4,06,000	3,87,000	Increase in revised is for leave allowances to the Commissioners.
Civil offices of Account and Audit	...		1,01,970	96,420	1,04,318	1,09,442	1,07,000	1,17,000	1,32,000	Budget includes one Examiner of outside audit and additional auditors for the transfer of outside audit to the local audit section of the Accountant-General's office. Effect was given to the scheme from 29th September 1916, and hence the increase in the revised.
Total	...		25,46,712	24,29,759	24,18,157	23,88,887	24,36,000	24,53,000	25,70,000	Revised based on the actuals of nine months.

Heads	Actuals 1912-13.	Actuals 1913-14.	Actuals 1914-15.	Actuals 1915-16.	1916-17. Sanctioned estimate.	1916-17. Revised estimate.	1917-18 Budget estimate.	Remarks
1	2	3	4	5	6	7	8	9
	Rs.	Rs.	Rs.	Rs	Rs.	Rs.	Rs.	
High Court—								
Judges	9,19,575	9,28,928	9,34,018	9,08,343	7,00,000	7,00,000	7,00,000	
Original Side	3,19,711	3,28,899	3,13,186	3,23,239	3,44,000	3,36,000	3,64,000	Budget includes provision for 3 short-hand writers and revision of establishment of both Original side and Receiver's office.
Appellate Side	3,94,438	4,07,344	4,14,413	4,23,136	3,52,000	3,63,000	3,63,000	Budget includes provision for revision of establishment.
Reporters	24,878	24,883	24,963	25,006	22,000	25,000	25,000	Revised and budget based on past actuals.
Bonus	8	.....	.....	.....	.....	.....	.....	
Lump deduction	.....	.....	.....	.....	—12,000	.....	.....	
Total ...	16,58,610	16,90,054	16,86,580	16,79,724	14,06,000	14,24,000	14,52,000	Decrease from 1916-17 is the result of the creation of the Patna High Court.
Law Officers—								
English Law Officers	1,29,837	1,31,739	1,28,940	1,32,[illegible]89	1,33,000	1,27,000	1,33,000	
Legal Remembrancer and High Court Pleaders	5,89,666	3,99,690	4,63,150	2,70,444	4,18,000	3,00,000	4,58,000	Decrease in revised is for smaller expenditure on fees to pleaders in criminal cases in the High Court. Budget includes Rs. 75,000 for an Additional Legal Remembrancer and his staff against Rs. 35,000 provided on the same account in 1916-17.
Mufassal Establishment	2,60,137	4,61,414	5,69,226	5,33,322	3,82,000	4,00,000	4,23,000	Budget includes larger grant for fees to pleaders in criminal cases with reference to past actuals.
Bonus	—84	.....	.....	.....	.....	.....	.....	
Total ...	9,79,556	9,92,843	11,52,316	9,36,455	9,33,000	8,27,000	10,14,000	
Coroner's Court	7,307	7,913	7,892	7,828	8,000	8,000	8,000	
Presidency Magistrates—								
Calcutta Police Court	1,19,731	1,35,561	1,47,996	1,44,384	1,41,000	1,39,000	1,30,000	Decrease due to the abolition of the Southern Court.
Municipal Magistrate's Court ...	7,974	4,396	8,166	7,853	8,000	9,000	10,000	Increase due to charges of the 2nd Magistrate.
Court for juvenile offenders and house of detention	.....	.....	8,799	8,259	10,500	11,000	11,000	
Bonus	8	.....	.....	.....	.....	.....	.....	
For rounding ...	.....	.....	.....	.....	—500	.....	.....	
Total ...	1,27,713	1,39,957	1,64,961	1,60,496	1,59,000	1,59,000	1,51,000	

									additional Sub-Judges. Budget includes provision for two Judges for the whole year.
Mufassal Small Cause Courts	...	17,756	18,364	18,490	60	.....	200	.....	Charges transferred to Courts of Small Causes below.
Munsifs	...	15,48,738	16,12,638	16,31,501	16,11,666	15,72,314	15,86,300	16,00,800	Increase due to larger provision for establishment in view of past actuals.
Allowances	...	42,461	54,892	59,054	56,718	38,000	54,500	38,000	Revised includes grain compensation allowance but the budget does not.
Supplies and Services ...	...	4,55,719	4,85,216	4,84,600	4,94,114	5,03,482	4,84,000	5,05,835	
Contingencies	...	1,64,614	1,75,382	1,54,694	1,39,864	1,54,231	1,30,500	1,53,306	
Process-serving Establishment	...	7,30,720	7,81,543	7,71,745	7,78,774	7,38,000	7,49,000	7,29,000	Ditto ditto ditto.
Charges for the Defence of India Act	...	.....	.....	.....	47,499	1,00,000	52,000	75,000	
For rounding	...	.....	.....	.....	.....	—441	.....	—303	
Total	...	44,76,042	47,05,781	47,91,558	48,45,729	48,22,000	47,97,000	48,41,000	
Courts of Small Causes ...	...	1,61,324	1,91,373	1,93,780	2,47,786	2,66,000	2,61,000	2,68,000	
Criminal Courts—									
General Establishment ...	...	19,82,411	20,48,302	21,15,395	21,67,072	21,76,000	22,02,000	21,71,000	
Subdivisional Establishment ..	...	1,59,479	1,67,515	1,70,364	1,71,886	1,50,000	1,74,000	1,55,500	
Revision of chowkidari panchayats	...	2,356	6,284	5,548	4,511	6,000	5,000	6,000	
Police Case Hospitals ...	...	.....	.....	3,843	3,784	5,000	4,000	5,000	
Rewards	...	.....	.....	479	751	1,000	1,000	1,000	
For rounding	...	.....	.....	.....	.....	.....	.....	.....	
Total	...	21,44,246	22,22,101	22,93,545	23,48,004	23,38,000	23,86,000	23,38,500	
Pleadership Examination charges	...	16,979	16,952	15,777	13,357	18,000	13,000	15,000	
Refunds	...	67,623	70,573	71,791	71,731	70,000	63,000	70,000	
For rounding	...	.....	.....	.....	.....	.....	.....	500	
Total	...	96,39,400	1,00,37,547	1,03,78,200	1,03,11,119	1,00,20,000	99,38,000	1,01,57,000	Revised based on nine months' actuals.

Heads.	Actuals. 1912-13.	1913-14.	1914-15	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Superintendence	65,797	59,969	61,016	62,706	61,000	66,000	62,000	
Establishments—								
Superintendents and Jailors	2,03,542	2,02,249	2,09,011	1,84,025	1,81,000	1,89,000	1,98,000	Budget includes provision for eight Assistant Jailors in Central Jails as leave reserve and provision for the allowance of a Roman Catholic Chaplain for the Alipore Jail.
Medical	29,910	33,847	31,663	30,841	34,500	33,500	34,000	
Clerical, Educational and Mechanical ...	10,770	12,658	13,585	13,513	13,000	14,000	14,000	
Warders	2,03,397	2,17,091	2,21,171	2,34,046	2,68,500	2,65,000	2,85,000	Increase due to revision of warders' establishment and provision for the warders of the new Sub-Jail at Kalimpong.
Menial and others	3,669	2,773	2,925	1,912	1,000	2,000	1,000	
Dietary charges	4,77,981	6,62,695	6,49,855	7,67,773	7,70,000	9,00,000	9,00,000	Increase is for high prices and larger number of prisoners.
Hospital charges	71,676	79,015	68,665	79,737	75,000	82,000	89,000	
Clothing and bedding of prisoners ...	54,479	49,995	75,454	1,01,479	74,000	87,000	85,000	
Sanitation charges	22,879	23,694	23,544	26,831	33,000	30,000	31,000	
Charges for moving prisoners	35,943	38,334	39,951	51,922	50,000	56,000	59,000	The charges under this head are rising year after year owing to the increase in the number of prisoners.
Miscellaneous services and supplies ...	1,01,286	1,23,899	1,02,790	1,07,661	1,39,000	1,26,000	1,12,000	Budget for 1916-17 included larger grants for petty construction and repairs which will not be fully utilized. Smaller provision made in 1917-18.
Allowances	12,680	19,047	21,159	20,933	11,000	21,000	10,500	Revised includes grain compensation allowance.
Contingent charges	82,951	87,408	43,603	41,680	48,000	38,000	42,000	smaller expenditure under rents, rates and taxes explains the decrease in revised.
Extraordinary charges for live-stock, tools and plant	18,122	23,288	23,280	18,908	25,000	22,000	24,000	
Charges for police custody	18,235	17,538	18,480	26,253	24,000	24,000	27,000	Budget includes larger provision for conveyance of under-trial prisoners and dietary charges of prisoners in lock-ups, etc.
Bonus	—123	5	.....	.....	.....	.....	.....	
Charges for the distribution of quinine by the Juvenile Jail	4,207	3,193	16,089	5,425	16,000	4,500	5,000	
For rounding ...	.....	.....	.....	.....	.....	.....	—500	
Total Jails ...	14,17,401	16,56,698	16,22,241	17,75,645	18,24,000	19,60,000	19,78,000	
Jail manufactures	5,44,013	6,06,184	7,26,334	7,28,698	7,25,000	8,98,000	9,09,000	Increase in revised is due to larger provision for raw materials. Budget also includes larger grant for the purchases of raw materials and European stores for the expansion of the blanket factory at Dacca and the quinine industry in the Juvenile Jail.
Refunds	418	.....	2,253	2,274	1,000	2,000	2,000	
Total ...	19,61,832	22,62,882	23,50,828	25,06,617	25,50,000	28,60,000	28,89,000	Revised based on the actuals of nine months.

									Salaries and Establishment.
Calcutta Police	12,15,083	13,36,930	14,69,952	15,30,928	15,00,000	15,88,000	16,84,000		Increase in revised is for higher charges for clothing, escort charges of persons dealt with under the Defence of India Act and charges on telephone lines and for the adjustment of grain compensation allowances by transfer from 32—Miscellaneous. Budget includes pay of Assistant Deputy Commissioners, cost of the formation of the 5th Company of Military Police, larger grants for local and conveyance allowances and escort charges and for rent of additional houses hired
Hospital charges	32,258	38,656	33,470	30,380	40,000	35,000	40,000		
Dock Police	.....	.....	7,490	—1,929	.....	.....	.....		The whole cost is realized from the Port Commissioners.
Special Police	35,522	37,866	31,082	31,544	31,000	22,000	12,000		Decrease is due to the formation of the Jetty Police guards
Police Training School	.....	.....	17,470	23,010	30,000	28,000	30,000		
Cattle-pounds	2,887	3,466	3,953	3,976	4,000	3,000	4,000		
River Police	20,674	13,790	21,602	53,049	27,000	27,000	29,000		Budget includes larger grants for repairs of boats
Police dead house	2,093	2,262	2,112	4,023	4,800	5,000	5,000		
Bonus	2,256	—5	.....	.....	.....	.....	.....		
Lump provision	.....	.....	.....	.....	56,906	.....	2,64,033		Budget includes Rs. 30,000 for the reorganization of the Criminal Investigation Department and Rs. 2,34,033 for River patrol arrangements.
For rounding ...	.....	.....	.....	.....	—706	.....	—33		
Total ...	14,49,110	15,95,085	17,42,163	18,25,337	18,47,000	18,94,000	22,22,000		
Superintendence	2,22,171	3,15,607	3,07,944	3,05,727	2,97,000	3,09,000	3,06,000		Budget includes larger grant for officers on special duties and contingencies. Increase in revised is under Supplies and Services and Contingencies.
District Police Force—									
Salaries	5,58,526	5,93,728	6,13,286	6,45,416	6,25,000	6,30,000	6,60,000		Increase in budget is for larger number of Deputy Superintendents.
Police Force	30,60,900	32,70,774	36,09,476	39,49,340	40,50,000	39,90,000	42,00,000		Increase is partly under Constables and partly under Temporary force and for smaller deduction of probable savings.
Training Schools	1,23,111	1,31,658	1,39,281	1,62,861	1,60,000	1,69,000	1,71,000		Increase is partly under Travelling allowances and partly under Supplies and Services.
Establishment	1,99,662	2,14,860	2,07,882	2,18,850	2,72,000	2,56,000	2,67,000		
Hospital charges	46,293	50,849	51,978	42,277	58,000	44,000	59,000		

20—*Police*—concluded.

Heads.	Actuals. 1912-13.	1913-14.	1914-15.	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs	Rs.	Rs.	Rs.	Rs.	Rs.	Rs	
District Police Force—*concluded.*								
Allowances	5,30,455	6,84,616	8,10,849	9,15,815	7,97,000	9,10,000	8,64,000	Increase in revised is chiefly for adjustment of grain compensation allowance. Increase in budget is under Travelling allowances.
Supplies and Services	6,42,299	8,14,465	9,45,393	8,41,079	7,22,000	9,08,000	9,27,000	Increase is for larger expenditure under Ordnance stores, Purchase of arms, Clothing, Petty construction, Rewards and Cost of railway warrants.
Contingencies	2,41,040	3,49,411	3,92,483	3,74,155	3,23,000	3,53,000	4,77,000	Increase is for additional charges under Contract contingencies.
Other Police	2,94,402	3,54,718	3,54,213	3,22,157	3,30,000	3,11,000	4,11,000	Budget includes larger provision for reorganization of River Police. It includes provision for floating thanas, floating quarters and thana launches.
Bonus	—438	—93	.....	.....	.....	.....	.....	
Lump provision for additional force and Police reforms	.....	.....	.....	.....	3,64,000	90,000	14,06,000	Several new schemes as detailed in the Financial Statement.
Total ...	56,96,250	64,64,986	71,24,841	74,71,950	77,01,000	76,61,000	94,42,000	
Village Police	19,874	34,020	5,907	17,844	6,000	10,000	10,000	
Criminal Investigation Department ...	4,06,163	4,78,209	5,39,973	5,97,591	5,94,000	6,75,000	7,90,000	Increase in revised is chiefly caused by heavy expenditure on Secret Service and by officers on special duty. Budget includes Rs. 2,97,000 for temporary force and larger grants for travelling allowances, Secret Service and Rewards.
Special Police—								
Assam Frontier Police	291	.....	.....	.....	.....	.....	.....	
Bengal Military Police	2,51,826	2,02,851	2,50,015	2,60,864	2,65,000	2,55,000	2,60,000	
Frontier Police, Chittagong	42,841	43,355	46,012	46,175	47,000	45,000	47,000	
Upper Burma Police charges ...	6,032	6,542	6,465	6,442	6,700	6,000	6,700	
Bonus	63	.....	.....	.....	.....	.....	.....	
Rounding ...	.....	.....	.....	.....	+300	.....	+300	
Total ...	3,01,053	2,52,748	3,02,492	3,13,481	3,19,000	3,06,000	3,14,000	
Railway Police—								
Jorhat State Railway Police	1,557	1,547	1,638	2,152	1,852	2,000	2,000	
Debru-Sadiya Railway Police ...	2,537	1,052	5,447	4,406	3,013	4,000	3,100	

Assam-Bengal Railway Police	18,557	14,705	14,630	19,595	18,642	22,000	21,200	
Bonus	21	.....	.....	.....	.....	.....	.....	
For rounding ...	.....	.....	.....	.....	—507	.....	300	
Total ...	3,01,972	3,26,214	3,46,232	3,67,128	3,45,000	3,68,000	3,50,000	
Cattle-pounds	134	236	132	157	250	300	250	
Refunds	3,132	3,976	2,861	4,568	3,000	3,700	3,800	Budget based on the average of the past three years' actuals.
For rounding ...	.....	.....	.....	.....	—250	.....	50	
GRAND TOTAL ..	83,99,859	94,71,081	1,03,72,545	1,09,03,783	1,11,12,000	1,12,27,000	1,34,38,000	Revised based on nine months' actuals.

21—*Ports and Pilotage*—

Salaries and allowances of officers and men afloat	1,24,693	1,07,006	1,04,765	1,49,534	1,36,000	1,13,000	1,06,000	Decrease is due to the transfer of the steamer *Goade* to the Port Commissioners
Victualling of officers and men afloat ...	27,771	29,599	30,673	42,358	34,000	31,000	30,000	
Purchase of marine stores and coal for the building, repairs and outfit of ships and vessels	1,22,569	1,19,825	1,70,177	1,83,470	1,31,000	1,20,000	1,26,000	
Purchase and hire of ships and vessels ...	16,850	25,056	110	.....	.....	.....	.....	The charge is now shown under State yacht establishment
Pilotage and Pilot establishment ...	8,18,545	7,97,579	7,24,703	6,29,613	6,66,500	5,51,000	5,87,500	Decrease due to the position created by the war which has diminished the earnings of pilots.
Marine establishment . .	3,763	1,43,872	1,55,538	1,23,866	1,37,000	1,20,000	1,23,000	
Subsidies to Steamboat Companies ...	8,494	2,575	2,250	3,000	3,320	3,000	3,320	
Miscellaneous	29,329	1,87,103	1,65,245	1,88,790	1,85,000	1,85,000	1,84,000	Includes the grant of 1½ lakhs to the Chittagong Port Fund
State yacht establishment ..	9,906	19,572	19,039	49,308	32,000	42,000	50,000	Budget includes larger provision for hire of vessels for His Excellency's tour
Refunds	4,089	5,130	5,705	3,124	5,000	3,000	4,700	
For rounding ...	.....	.....	.....	.....	+180	.....	480	
Total	12,16,009	14,28,377	13,78,205	13,73,063	13,30,000	11,68,000	12,15,000	Revised based on nine months' actuals.

22.—Education—

Heads.	Actuals. 1912-13.	1913-14.	1914-15	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Calcutta University	5,15,000	1,18,500	2,73,960	1,15,000	1,15,000	1,15,000	1,15,000	The actuals of 1914-15 included a special payment of Rs. 1,59,000.
Direction	1,78,080	1,51,032	1,62,563	1,64,393	1,52,000	1,56,000	1,57,000	Budget includes larger grants for travelling allowances.
Inspection—								
Inspector of European Schools ...	18,162	11,255	12,821	11,891	13,000	12,000	13,000	
Inspectors of other schools	7,38,617	7,41,347	8,90,109	8,71,972	8,49,000	8,61,000	8,50,000	Increase in revised is under Salaries and Establishment.
Inspector of hostels and students' messes	.....	5,204	4,026	5,159	5,000	4,500	5,000	
Inspector of technical schools and of industries	25,709	25,402	26,980	26,879	28,000	27,500	28,000	
Bonus	110	.....	.....	.....	.....	.....	.....	
Total ...	7,82,598	7,83,208	9,33,936	9,15,901	8,95,000	9,05,000	8,96,000	
Government Colleges—General—								
English Colleges—								
Arts Colleges for boys	7,45,673	7,43,075	8,77,858	8,38,438	8,18,000	8,09,000	8,27,000	Budget includes provision for duty allowance of the Principal, for local allowances for Bursar and Dean of the Presidency College, for a gymnastic teacher for the Hooghly College, for a lecturer for the Rajshahi College and for a professor of the Chittagong College.
Arts Colleges for girls	30,655	34,660	43,831	43,192	45,000	42,000	45,000	Decrease in revised is for savings under Salaries.
Eden Hindu Hostel	30,391	35,900	32,929	33,979	33,000	28,000	38,000	Increase in budget is for larger grant for Boarding charges.
Oriental Colleges—								
Sanskrit College	33,425	31,738	40,805	36,751	35,000	37,500	36,000	
Elliott Madrasah and other attached hostels	10,065	10,551	8,682	.....	.....	.....	.....	
Cost of maintaining messes attached to Government Colleges in Calcutta ...	.....	.....	.....	1,175	5,808	1,500	6,000	
Deduct—Probable savings ...	.....	.....	.....	.....	—808	.....	—2,000	

Civil Engineering College, Sibpur, Howrah	3,20,920	2,62,146	2,66,026	2,49,516	2,62,000	2,59,000	2,70,000	Decrease in revised is for savings under Salaries.
Mining Instruction in the coalfields ...	5,658	5,190	4,293	7,729	7,607	12,000	12,766	
Training Colleges for teachers ...	58,812	71,635	71,587	63,813	73,000	57,000	60,000	Decrease in revised is for savings under Salaries. Budget follows the actuals of 1915-16 and 1916-17.
For rounding ...	.....	.....	.....	.....	+393	.....	+234	
Total ...	4,00,575	3,57,324	3,61,112	3,37,953	3,62,000	3,44,000	3,60,000	
Government Schools, General—								
District School Committees	306	443	374	398	500	500	500	
Secondary Schools—								
For boys—								
High Schools	5,00,867	5,21,888	5,89,148	5,96,721	6,10,000	6,06,000	6,50,000	Budget includes provision for masters for the Dacca and Chittagong Moslem High Schools, larger grant for the Hastings House School and cost of provincialization of Bhola, Jhalakati, Pirojpur and Jamalpur High Schools.
Middle English Schools	88,940	1,08,478	1,15,785	1,11,501	1,28,000	1,21,000	1,20,000	
Middle Vernacular Schools	3,169	3,163	2,800	3,069	3,000	3,500	3,000	
For girls—								
High Schools	80,594	1,06,467	1,06,927	1,01,513	1,05,000	1,00,000	1,05,000	
Middle English Schools	59,426	71,483	89,901	91,530	92,000	1,09,000	99,000	
Middle Vernacular Schools	7,713	5,250	6,631	3,512	4,000	3,000	3,500	
Female Education Committee ...	.....	250	121	.....	.....	.....	.....	
Primary Schools—								
For boys—								
Upper Primary Schools	4,221	.....	.....	.....	.....	.....	.....	
Lower Primary Schools	.....	1,296	1,922	1,704	2,000	1,600	2,000	
For girls—								
Upper Primary Schools	23,036	4,546	3,707	3,799	4,000	3,000	4,000	
Lower Primary Schools	.....	18,100	18,055	18,842	16,000	18,400	17,000	

22—*Education*—concluded.

Heads.	Actuals. 1912-13.	1913-14.	1914-15.	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Circle School grant	40,022	41,119	42,336	39,980	40,000	40,000	40,000	
Payment in support of local schools under District Boards	11,64,506	13,88,064	11,34,937	9,96,905	2,91,198	10,00,000	2,91,000	Revised includes Rs. 7,09,000 transferred from Imperial grants.
Bonus	—288	.....	.....	.....	.....	.....	.....	
Zenana classes in Eastern Bengal ...	8,813	10,864	12,585	13,690	13,000	14,000	13,000	
For rounding ...	.....	.....	.....	.....	—698	.....	.....	
Total ...	19,81,325	22,81,411	21,25,229	18,93,164	13,08,000	20,20,000	13,48,000	
Government Schools, Special—								
Training Schools—								
For Masters—								
Normal Schools	87,136	84,120	96,020	88,640	90,000	82,000	88,000	
Guru-Training Schools	2,14,067	2,13,069	2,48,112	2,77,464	2,50,000	3,05,000	2,52,000	Revised includes larger payment of stipends to pupils.
For Mistresses—								
Training Schools	23,474	24,234	22,162	24,614	32,000	18,000	32,000	Decrease in revised is for savings under Boarding charges and contingencies
Calcutta School of Art	26,839	35,252	43,641	38,123	43,000	36,000	37,000	Decrease is under Salaries.
Government Art Gallery	9,840	9,584	9,690	10,736	7,500	8,000	9,000	
Engineering and Survey Schools ...	83,123	57,116	60,482	50,476	58,000	52,000	57,000	Decrease in revised is under Salaries.
Technical and Industrial Schools ...	54,530	55,662	70,582	60,552	65,000	64,000	70,000	
Commercial Schools	24,370	22,642	30,342	24,164	30,000	22,000	27,000	Decrease in revised is under Salaries.

	.....	2,306	2,251	2,989	3,000	3,000	3,656	
Agricultural classes and agricultural gardens	.....	303	111	104	500	200	2,500	
Bonus	114	6	.....	.....	.....	.....	.....	
For rounding ...	.....	.....	.....	.....	.....	.....	—4	
Total ...	5,98,433	5,78,827	6,77,468	7,29,473	6,81,000	7,33,000	6,67,000	
Grants-in-aid	17,24,594	20,99,939	31,11,918	29,45,916	17,53,000	23,66,000	18,49,000	Revised includes Rs. 6,04,000 transferred from Imperial grants and Rs. 9,000 transferred from His Excellency's petty grants and grants at the disposal of Divisional Commissioners. Budget includes Rs. 3,39,000 for grants for Calcutta hostels.
Scholarships	2,24,400	2,41,638	2,41,616	2,51,352	2,44,000	2,53,000	2,60,000	
Miscellaneous	1,20,518	6,42,200	3,13,636	1,73,707	1,91,000	2,05,000	1,93,000	Revised includes grants sanctioned for Sir J. C. Bose after his retirement from Government service
Refunds	1,097	2,512	1,479	3,040	2,000	3,000	3,000	
Imperial grants—								
Lump provision for improving popular education (recurring since 1912-13) ...	.....	.....	.....	.....	9,25,000	75,000	9,25,000	
Lump provision for secondary education (recurring since 1912-13) ...	.....	.....	.....	.....	1,50,000	.....	1,50,000	
Lump provision for female education (recurring since 1913-14) ...	.....	.....	.....	.....	30,000	.....	30,000	
Dacca University and hostels (recurring since 1912-13)	.....	.....	.....	.....	45,000	.....	.....	
Lump grant for education (recurring since 1913-14)	.....	.....	.....	.....	8,20,000	75,000	8,20,000	
Further grant for education (recurring since 1914-15)	.....	.....	.....	.....	1,50,000	50,000	1,50,000	
Lump provision for improved pay and training of teachers (recurring since 1917-18)	.....	.....	.....	.....	.....	.....	9,00,000	
Expenditure from the non-recurring grant of 75 lakhs (1912-13) ...	.....	.....	.....	.....	71,000	.....	40,000	Provision for the construction of servants' quarters, stables, etc., for the Bethune College.
Total ...	73,76,829	81,12,515	92,07,022	84,83,414	88,30,000	82,18,000	98,13,000	

24A—Medical—

Heads.	Actuals. 1912-13.	1913-14	1914-15	1915-16.	1916-17. Sanctioned estimate.	Revised estimate	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs	Rs.	Rs	Rs.	Rs	Rs.	Rs.	
Medical establishment—								
Superintendence	71,388	69,060	68,927	73,597	72,000	74,500	74,000	Larger expenditure under Travelling allowances.
District Medical establishment ...	4,32,112	4,20,714	4,11,713	3,90,450	3,73,000	3,73,000	3,81,000	Increase due to higher grade pay of officers and periodical increments of Assistant Surgeons and larger grant for travelling allowances.
Reserve Medical Officers and Subordinates	9,600	11,671	17,061	12,096	20,000	7,500	10,000	Revised based on eight months' actuals.
Bonus	9	.....	.....	.....	.....	.....	.....	
Total ...	5,13,109	5,01,445	4,97,701	4,76,143	4,65,000	4,55,000	4,65,000	
Hospitals and Dispensaries—								
Presidency Hospitals and Dispensaries—								
Medical College Hospital	3,64,393	4,09,790	3,74,160	3,68,908	3,64,000	3,71,000	3,60,000	Increase in revised is for larger expenditure under Establishment and adjustment of grain compensation allowances by transfer from 32—Miscellaneous.
General Hospital	2,43,527	2,51,634	2,49,533	2,37,789	2,40,000	2,33,000	2,32,000	Decrease under Diet, Clothing and Bedding.
Campbell Hospital	1,25,706	1,41,572	1,47,292	1,50,205	1,47,000	1,40,000	1,55,000	Decrease in revised is under Contingencies. Budget includes larger grant for medical stores and electric current.
Albert Victor Asylum for Lepers ...	37,707	36,213	34,167	38,772	35,000	37,000	35,000	Increase in revised is under Salaries.
Mufassal Hospitals and Dispensaries ...	1,08,402	1,02,337	1,13,423	1,13,202	1,12,000	1,19,000	1,09,000	Increase in revised is under Diet, clothing and medical stores.
Grants to Hospitals and Dispensaries ...	2,12,209	3,61,363	3,37,296	1,60,828	1,52,000	2,05,000	4,84,000	Budget includes 3½ lakhs for grant to the Belgachia Medical Institution. Revised includes grants by His Excellency from his allotment for petty grants and grants by the Divisional Commissioners from their grants for local improvements.
Special Hospitals	10,601	10,026	12,393	12,482	11,000	12,000	13,000	
Medical charges in connection with the Inland Labour Transport Fund ...	1,279	813	590	937	1,000	1,000	1,000	

Charitable institutions ... ... Other items	.....	.....	.....	.....	.....	.....	.....	
Total grants for medical purposes ...	4,000	4,374	5,447	5,000	6,000	5,000	7,000	
Medical Schools and Colleges— Medical Colleges	2,94,927	3,41,085	3,27,806	3,33,749	3,33,000	3,48,000	3,63,000	Budget for 1916-17 provided for larger probable savings for deputation of officers to military duty, which were not realized. Budget follows revised with larger provision for electric current and rents, rates and taxes.
Medical Schools	1,13,503	1,22,813	1,23,257	1,25,742	1,37,000	1,30,000	1,33,000	
Total ...	4,08,430	4,63,898	4,51,063	4,59,491	4,70,000	4,78,000	4,96,000	
Lunatic Asylums	1,65,754	1,80,677	1,83,919	1,97,498	1,92,000	1,98,000	1,97,000	Revised includes larger expenditure under Supplies and Services and Contingencies. Budget follows revised and actuals of 1915-16.
Chemical Examiner	58,851	40,940	53,737	39,043	42,000	39,000	40,000	Decrease under Salaries.
Refunds	13,002	18,016	18,847	23,442	20,000	22,000	20,000	
Lump grant for State Medical Faculty ...	.....	.....	.....	.....	10,000	.....	.....	These grants will not be required.
Ditto Bengal Council of Medical Registration	.....	.....	.....	.....	5,000	.....	.....	
GRAND TOTAL ...	22,66,954	25,23,098	24,79,568	22,83,740	22,72,000	23,15,000	26,14,000	Revised based on nine months' actuals.

24B—Sanitation—

Sanitation and vaccination establishment ...	2,81,941	2,66,489	3,29,384	2,48,166	2,66,000	2,65,000	2,88,000	
Grant for sanitary purposes	3,89,733	5,58,825	3,94,688	2,13,735	2,62,000	1,96,000	2,62,000	Budget includes 2½ lakhs for grants for works of sanitary improvements
Enquiry in connection with bubonic plague, epidemics, malaria, etc	93,278	60,872	52,712	81,444	25,000	54,000	48,000	Budget includes Rs. 30,000 for Dr. Bentley's enquiry about sub-soil drainage and Rs. 6,260 for experiments in testing vital statistics.
Refund	.....	.....	50,000	.....	....	.....	.....	Refunded to the Indian Research Fund Association, being the amount contributed by that body for jungle-clearing in 1912-13.
Total ...	7,64,912	8,86,186	8,26,784	5,43,345	5,53,000	5,15,000	5,98,000	

25—*Political*—

Heads.	Actuals. 1912-13.	1913-14.	1914-15.	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Political Agents	11,854	14,262	11,280	10,989	14,000	19,000	21,000	Increase both in revised and budget due to higher pay drawn by the present Political Agent.
Durbar presents and allowances to Vakils, etc.	23,750	15,213	2,646	3,278	7,000	3,000	7,000	Budget based on probable requirements.
Miscellaneous	3,372	3,500	4,432	8,920	2,500	2,55,000	2,08,500	This includes—
For rounding ...	.....	.....	.....	.....	—500	.....	—500	
Total ...	38,976	32,975	18,358	23,187	23,000	2,77,000	2,36,000	

	Revised. 1916-17. Rs.	Budget. 1917-18. Rs.
Personal and family allowances to detenus under the Defence of India Act	2,45,000	2,00,000
Allowances to families of State prisoners	5,000	5,000
Allowances to detenus under Ingress into India Ordinance ...	1,000	1,000
Total ...	2,51,000	2,06,000

26A—*Agriculture*—

Veterinary charges—								
Superintendence	20,208	20,741	30,689	24,833	24,000	17,000	18,000	Decrease due to the Superintendent being on military duty.
Veterinary Instruction	1,08,947	1,13,196	1,28,818	1,52,400	1,45,000	1,48,000	1,56,000	Budget includes Rs. 3,600 for additional pay of the Assistant Principal, larger grant for stipends of students and for the purchase and keep of cattle.
Subordinate establishment	26,202	25,955	25,652	26,857	32,000	27,000	35,000	Budget includes larger grant for travelling allowances of veterinary assistants.
Hospitals and dispensaries	8,314	17,026	23,012	24,714	28,000	—5,000	24,000	Decrease in revised is for larger recoveries on account of pay of veterinary assistants lent to District Boards which are taken in reduction of expenditure. Budget includes Rs. 7,160 on account of arrear increments of pay of veterinary assistants prior to their transfer to Provincial Service.
Cattle-breeding operations	1,307	49	.....	.....	.....	.....	.....	
Cattle survey	5,841	137	.....	.....	.....	.....	.....	
Bacteriology	13,029	13,167	13,124	11,580	13,000	13,000	13,000	
Bonus	—12	.....	.....	.....	.....	.....	.....	
Total ...	1,83,836	1,90,271	2,21,295	2,40,384	2,42,000	2,00,000	2,46,000	
Agriculture—								
Superintendence	76,031	69,265	69,456	71,389	73,000	73,000	62,000	Decrease in budget is for lower pay drawn by

								Miscellaneous in view of the past actuals.
Divisional Seeds Stores	10,900	7,231	10,048	16,369	23,000	11,000	41,000	Decrease in revised is due to orders to adjust the sale-proceeds of seeds by reduction of charges for the stores. Budget includes provision for the purchase of special variety of paddy seed for experimental purposes.
Distribution of Agricultural Literature ...	.....	.....	199	.....	.....	.....	.....	
Sericulture	73,923	99,382	1,09,872	1,08,897	1,13,000	1,14,000	1,25,000	Budget includes Rs. 20,700 for grant to Miss Cleghorn for silk experiments and researches in place of Rs. 5,000 provided in 1916-17.
Botanical Garden at Sibpur	89,805	81,986	1,06,546	1,02,778	1,03,000	93,000	1,05,000	Budget includes additional grant of Rs. 2,000 for Contract Contingencies for oiling the garden roads.
Grants to Public Gardens	29,158	31,298	30,026	29,399	30,000	29,000	30,000	
Zoological Gardens, Calcutta	5,283	5,251	5,024	5,530	5,640	6,000	5,940	
Botanical Gardens at Darjeeling ...	14,093	13,986	14,605	13,233	14,000	14,000	14,000	
Other Government Gardens	39,180	40,098	42,483	40,868	42,747	39,000	42,512	
Public exhibitions and fairs	2,622	1,408	6,891	2,258	6,000	1,000	2,000	Based on actuals
Bonus	.....	426	.....	.....	.....	.....	.....	
For rounding ...	.....	.....	.....	.....	—887	.....	+48	
Total ...	5,27,250	6,25,099	7,08,289	7,82,388	7,63,000	7,73,000	8,12,000	
Co-operative Societies	61,051	91,406	92,577	1,16,390	1,24,000	1,27,000	1,68,000	Budget includes provision for the Joint Registrar, 1 Chief Auditor, 4 Inspectors, 1 clerk and 7 peons, and for additional grants for traveling allowances and contingencies.
GRAND TOTAL ...	7,72,137	9,06,776	10,22,161	11,39,162	11,29,000	11,00,000	12,26,000	Revised based on the actuals of the first nine months

26B—*Scientific and Miscellaneous Departments*—

Scientific—								
Cinchona plantations	6,67,845	2,73,788	2,37,142	2,01,394	2,22,000	2,11,000	2,23,000	Decrease in revised is under Contingencies. Budget provides for two Assistant Managers and their pony allowances, and one Sub-Assistant Surgeon and afforestation charges.
Donations to scientific societies ...	15,200	11,984	17,120	19,871	16,000	18,400	21,000	Revised includes larger grant to the Asiatic Society. Budget includes Rs. 5,000 for Darjeeling Museum
Imperial Institute	.....	40	22	.....	.....	.....	.....	
Labour and Emigration—								
Emigration	22,224	22,619	22,526	21,401	22,500	23,000	22,000	
Inland Labour Transport	22,686	22,014	29,615	22,633	29,000	23,000	28,000	Decrease in revised is for non-utilization of the provision for the construction of a bungalow for the Assistant Superintendent of Emigration. Budget includes this
Inspector of Factories ..	60,056	57,888	56,256	53,626	65,000	57,000	62,000	Decrease in revised is for savings in the grants for allowances to Civil Medical Officers for inspecting factories and steam launch contingencies
Statistics—								
Gazetteer and Statistical Memoirs ...	3,726	870	1,920	.....	7,000	2,000	5,000	Estimate based on probable requirements.
Provincial statistics	45,736	37,506	38,827	38,860	40,100	39,600	38,800	

26B—*Scientific and Miscellaneous Departments*—concluded.

Heads.	Actuals. 1912-13.	1913-14.	1914-15.	1915-16.	1916-17. Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Miscellaneous—								
Preservation and translation of ancient manuscripts	7,625	9,250	11,220	9,200	9,000	9,000	9,000	
Examinations	422	674	971	872	1,200	1,000	1,200	
Fishery Department	45,415	81,583	55,927	37,431	55,000	34,000	44,000	Decrease in revised is due to partial utilization of the grant for fish culture and other contingencies.
Smoke-nuisances Commission ...			24,403	25,121	26,000	26,000	27,000	
Registrar of Joint-stock Companies ...	.....	.....	18,701	16,369	20,000	16,300	21,900	Decrease in revised is for savings under salaries and non-utilization of the provision for fees for inspection of Joint-stock Companies.
Inspector of Mines	125	119	75	81	100	100	100	
Refunds	726	688	1,383	831	1,100	600	800	
Lump provision for Director of Industries ...	.....	.....	.....	.....	30,000	.....	30,000	These grants were not utilized in 1916-17.
Ditto for Development of Industries	.....	.....	.....	.....	1,00,000	2,000	50,000	
For rounding ...	.....	.....	.....	.....	.....	.....	+100	
Total ...	8,91,816	5,19,023	5,16,108	4,47,690	6,44,000	4,63,000	5,83,000	Revised based on the actuals of the first nine months.

29—*Superannuation*—

Covenanted Civil Service pensions ...	45,000	45,000	45,938	45,625	45,000	40,000	30,000	Decrease due to the death of a pensioner. Budget represents the pensions of Messrs Tagore and De.
Superannuation and retired allowances ...	28,54,278	29,50,154	29,80,253	30,23,185	31,00,000	31,50,000	32,25,000	Revised based on nine months' actuals. Budget provides for normal growth of expenditure.
Compassionate allowances	2,648	4,005	4,155	4,564	5,000	4,000	5,000	Based on actuals.
Gratuities	14,932	12,481	27,933	17,264	20,000	20,500	20,000	
Ports and Pilotage pensions	8,493	8,194	8,233	.....	.....	.....	.....	
Refunds	337	219	.....	815	1,000	500	1,000	
Commuted value of pensions	.....	80,235	1,32,136	50,356	2,00,000	75,000	1,30,000	Decrease in revised is due to smaller payments than anticipated while preparing the budget. Budget framed with reference to the actuals of

Forms Department at the Presidency ...	52,002	59,712	65,264	.....	.....	.....	.....	The Forms Department has been amalgamated with the Presidency Jail Press.
Stationery purchased in the country ...	23,130	27,965	33,030	29,705	32,000	29,000	32,000	
Government Presses	6,24,717	6,36,085	5,66,836	6,14,589	6,62,000	5,80,000	6,43,000	Decrease in revised is for smaller contingent and other charges of the Secretariat Press and Press and Forms Department Budget framed with reference to actual requirements and smaller charges for overtime allowances.
Printing at private presses	1,222	2,505	2,860	2,956	3,000	2,000	3,000	
Stationery supplied from Central Stores ...	6,32,102	7,58,232	6,00,918	6,53,203	6,50,000	6,50,000	6,50,000	
Refunds	1,256	2,907	809	998	1,000	1,000	1,000	
Total ...	13,34,429	14,85,406	12,69,717	13,01,451	13,48,000	12,62,000	13,29,000	Revised based on the actuals of nine months.

32—Miscellaneous—

Miscellaneous charges for the treatment of patients of the Pasteur Institute ...	1,296	1,120	2,081	1,535	2,000	2,000	2,000	
Travelling allowances to officers attending examinations	7,150	.....	.....	.....	.....	.....	.....	The charges are debited to the same head as salaries.
Reward for proficiency in Oriental languages, and allowance to the Language Examination Committee	4,017	4,378	8,788	6,069	10,000	16,000	9,000	Revised raised as the actuals in nine months amounted to Rs. 15,458.
Cost of books and publications ...	8,112	1,100	873	600	600	600	600	
Donations for charitable purposes ...	2,30,273	2,20,731	1,89,409	5,17,542	3,90,000	2,55,000	2,77,000	Decrease in revised is for smaller payments on gratuitous relief owing to the declaration of famine in Bankura. The charges of that district were adjusted under "Famine Relief." Budget includes one lakh for gratuitous relief.
Charges on account of European vagrants	7,960	4,991	6,965	5,414	6,000	9,000	9,000	Revised raised in view of the actuals of the first nine months of 1916-17. Budget follows revised.
Rewards for destruction of wild animals ...	13,953	19,534	18,675	16,659	20,000	14,000	18,000	
Petty establishments	37,697	57,419	25,049	24,375	20,000	20,000	20,000	
Special Commissions of Enquiry ...	52,274	1,09,840	96,858	2,074	10,000	2,000	10,000	
Irrecoverable temporary loans written off ...	2,323	3,507	285	2,707	3,000	5,000	4,000	
Rent, rates and taxes	45,495	40,305	26,592	25,194	27,000	25,000	25,000	Budget based on actuals.
Contributions	3,396	10,342	19,921	4,562	14,000	5,000	14,000	Budget includes guarantee charges of new telegraph lines wanted for administrative needs.

32—*Miscellaneous*—concluded.

Heads	Actuals. 1912-13.	1913-14.	1914-15.	1915-16	1916-17 Sanctioned estimate.	Revised estimate.	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs	Rs.	
Miscellaneous and unforeseen charges ...	4,804	99,160	31,970	7,213	3,05,000	6,000	3,05,000	Budget includes one lakh for petty grants by His Excellency and two lakhs as general reserve to meet unforeseen requirements.
Extraordinary items	.....	229	.....	.....	.....	.....	.....	
Miscellaneous refunds	2,732	9,716	7,116	12,692	7,400	7,400	10,000	Based on actuals.
Annual stipend to holders of literary titles	4,092	2,908	2,300	2,000	3,000	2,000	2,400	Based on actuals.
Lump provision for grain compensation allowance for all departments ...	.....	.....	.....	.....	4,00,000	.....	4,00,000	
Charges for search of hidden treasure ...	36	.....	.....	.....	.....	.....	.....	
Books and subscriptions to periodicals ...	.....	2,138	1,326	9,831	10,000	8,000	3,000	The figures for 1915-16 and 1916-17 included payment for copies of *Moslem Hitaishi*, which is now discontinued.
Total ...	4,25,610	5,87,418	4,38,298	6,38,467	12,28,006	3,77,000	11,09,000	Revised based on nine months' actuals.

42—*Irrigation—Major Works (Working Expenses)*—

Midnapore Canal	2,06,943	1,78,785	1,32,836	1,37,172	1,65,500	1,46,000	1,39,000	Decrease in revised is under maintenance and repairs.
Hijili Tidal Canal	28,774	1,19,004	1,24,864	58,850	24,500	28,000	31,000	
Total ...	2,35,717	2,97,789	2,57,700	1,96,022	1,90,000	1,74,000	1,70,000	Estimate based on actual requirements.
Provincial share ...	1,17,858	1,48,895	1,28,850	98,011	95,000	87,000	85,000	

42—*Irrigation—Major Works (Interest on Debt)*—

Interest	3,51,236	3,39,987	3,51,156	3,48,476	3,51,000	3,48,000	3,48,000	No capital expenditure is expected in 1916-17

IN CHARGE OF THE CIVIL DEPARTMENT								
Embankments under the contract system—								
Establishments	1,882	1,597	1,575	1,629	1,512	1,600	1,512	
Contingencies	48	361	19,709	406	448	400	662	Budget includes Rs. 614 on account of Government contribution to the Tippera District Board for maintaining gauges and gauge-readers for the Gumti embankment.
Allowance	.....	6	30	9	.....	.....	.....	
Rounding	.....	.....	.....	.....	+40	.....	—174	
Total in charge of the Civil Department ...	1,930	1,964	21,314	2,044	2,400	2,000	2,000	
Provincial share	965	982	10,657	1,022	1,000	1,000	1,000	
IN CHARGE OF THE PUBLIC WORKS DEPARTMENT.								
IRRIGATION AND NAVIGATION WORKS.								
Works for which Capital and Revenue Accounts are kept.								
CAPITAL								
Works in progress.								
Midnapore Canal	1,198	180	.....	.. ..	.....	.....	3,600	This is for permanent outlets which are necessary for the development of irrigation from the canal
Hooghly-Bidyadhari Canal	12,741	20,218	3,489	9,641	.....	.....	.....	
Calcutta and Eastern Canals	—82,320	—77,523	5,31,985	48,127	—1,74,700	3,16,710	—1,54,100	The figures include credits on account of hire of the dredgers *Fowers* and *Alexandra* and those of budget also include Rs. 74,000, being the value of canal surplus land to be taken over by the Calcutta Improvement Trust. Revised includes provision for the improvement of the Bharani khal which was included in Revenue Account.
Madaripur Bil Scheme	95,489	2,34,705	1,57,910	2,58,880	1,65,500	3,11,500	2,74,500	Budget includes provision for completing the improvements to the Lower Kumar at Char Maguria and completing the works in connection with the embankment along the channel. For these works increased provision has been made in the revised estimate
Orissa Coast Canal	....	—1,725	.....	....	.....	.. ..	....	
Utterpagh Lock	73,852	31,383	19,229	4,122	.....	.....	....	
Survey of the proposed Grand Trunk Canal	.....	.....	.....	.....	.....	100	.....	Revised Estimate includes charges for special enquiry.
Total Capital ...	1,00,960	2,07,238	7,10,613	3,20,770	—9,200	6,28,310	1,24,000	

43—*Minor Works and Navigation*—concluded.

Heads	Actuals. 1912-13.	1913-14.	1914-15.	1915-16.	1916-17. Sanctioned estimate	Revised estimate.	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
	Rs	Rs.	Rs	Rs.	Rs.	Rs	Rs	
REVENUE.								
Utterbagh Lock	.....	.....	... ..	35	1,200	600	1,550	
Orissa Coast Canal	19,227	27,656	... ..	.....	.....	.....	.....	
Calcutta and Eastern Canals	4,39,561	3,88,924	4,31,292	6,05,866	8,95,000	3,07,510	6,46,950	Decrease in revised is under maintenance and repairs and for transfer to Capital account.
Midaripur Bhil Scheme	92,917	1,17,560	2,21,849	1,23,524	72,000	92,350	1,35,500	
Total Revenue ...	5,51,705	5,34,140	6,52,951	7,29,425	9,68,200	4,00,460	7,84,000	
Total Works for which Capital and Revenue accounts are kept	6,52,665	7,41,378	13,63,664	10,50,195	9,59,600	10,28,779	9,08,000	
Works for which only Revenue Accounts are kept.								
WORKS IN PROGRESS.								
Orissa Coast Canal	.....	.....	12,627	15,833	21,000	22,300	41,000	
Nadia Rivers	1,38,461	1,29,341	97,784	1,04,759	99,000	97,660	1,02,000	
Gaighatta and Buxi khals	8,637	289	301	372	600	400	10,000	
Total Works for which only Revenue Accounts are kept	1,47,098	1,29,630	1,10,712	1,20,964	1,20,600	1,20,360	1,53,000	
Works for which neither Capital nor Revenue Accounts are kept.								
WORKS IN PROGRESS.								
Eden Canal	20,684	39,837	68,215	72,685	51,450	52,040	32,000	
Improvement of navigable channels—Ganges river	.....	.....	.....	7,051	15,000	15,000	13,000	

Grant-in-aid for bandalling the Ganges near Rampur-Boalia	.....	82,957	93,229	69,683	55,950	52,625	54,500	
Improving the channel of the Karnafuli ...	.....							
Observation of rivers in the Birbhum district	.....	3,352	.....	.....	500	685	500	
Total Works for which neither Capital nor Revenue Accounts are kept ...	1,23,707	1,97,610	2,77,585	3,55,109	2,57,900	2,56,126	1,55,000	
Total Irrigation and Navigation Works	9,23,470	10,68,618	17,51,961	15,26,268	13,37,500	14,05,256	12,16,000	
AGRICULTURAL AND DRAINAGE WORKS.								
Works for which only Revenue Accounts are kept and of which neither Capital nor Revenue Accounts are kept.								
WORKS IN PROGRESS.								
Government embankments ... ... Midnapore takavi embankments under contract ... ... Rajpur and Howrah drainage ... ... Magra Hât drainage project	6,12,837	8,55,839	9,87,733	7,68,182	7,34,500	6,90,105	9,80,000	Budget includes special provision of Rs. 2,50,000 for mitigating the effects of floods in the Burdwan Division. It includes Rs. 2,59,600 for establishment and Rs. 25,000 for maintenance and repairs of the Magra Hât drainage channel and also provision for repairs to embankments and drainage works and khas tahsil khals.
Total Agricultural ...	6,12,837	8,55,839	9,87,733	7,68,182	7,34,500	6,90,105	9,80,000	
Reserve	.....	.....	.....	.....	20,000	12,639	45,000	
Total in charge of the Public Works Department	15,36,307	19,24,457	27,39,694	22,94,450	20,92,000	21,08,000	22,41,000	
Provincial share	7,68,153	9,62,228	13,69,847	11,47,225	10,46,000	10,54,000	11,21,000	

45—*Civil Works*—

IN CHARGE OF THE CIVIL DEPARTMENT.							
Provision for sub-overseers in each subdivision in Bengal to report on the real condition of rural water-supply ...	.....	19,960	16,745	4,404	.....	.....	.....
Ferry charges	2,584	5,463	5,799	7,902	6,000	6,500	7,266
" refunds	9,555	13,226	14,182	10,722	27,000	12,500	12,500
Staging bungalows	5,060	4,192	4,027	3,532	3,129	3,800	3,445
Encamping grounds	59	1,960	1,395	388	250	200	300
Arboriculture	21,146	.....	.....	.....	.....	.....	.....

45—*Civil Works*—concluded.

Heads.	Actuals 1912-13.	Actuals 1913-14.	Actuals 1914-15.	Actuals 1915-16.	1916-17. Sanctioned estimate.	1916-17. Revised estimate	1917-18. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8	9
Charge of the Civil Department—*concld*	Rs	Rs.	Rs	Rs.	Rs.	Rs	Rs	
Cemetery establishment	.....	2,139	2,643	3,690	4,266	3,000	3,476	
Contributions in aid of excluded local funds and municipalities	88,643	94,322	82,108	27,496	1,72,000	84,148	1,73,000	Grants sanctioned for works of sanitary improvements have been adjusted under Sanitation.
Grant to the Calcutta Improvement Trust ...	11,50,000	11,50,000	11,50,000	11,50,000	1,50,000	1,50,000	1,50,000	
Contribution to district funds and district road funds	8,38,764	6,77,038	8,03,663	8,04,468	7,73,000	5,38,000	5,05,000	
Grants to other local bodies	.....	34,455	20,339	11,606	5,000	4,252	5,000	
Other items	1,74,290	13,585						
For rounding ...	.....	.....	.....	.....	—645	—400	—487	
Total in charge of the Civil Department	22,90,651	20,15,438	21,00,901	20,24,208	11,40,000	8,02,000	8,59,000	
In charge of the Public Works Department.								
Original Works.								
Civil Buildings	32,39,655	42,47,697	56,32,317	24,45,872	10,68,000	14,20,000	9,38,600	
Communications	1,71,609	3,09,208	4,58,716	6,31,839	4,42,000	4,50,000	19,66,000	
Miscellaneous Public Improvements ...	49,052	1,18,999	66,213	38,049	.....	60,000	3,61,400	
Total ...	34,60,316	46,75,904	61,57,246	31,15,760	15,10,000	19,30,000	32,66,000	
Repairs.								
Civil Buildings	8,46,843	10,24,747	13,13,731	12,94,826	14,25,000	14,00,000	13,55,000	
Communications	8,80,979	8,77,704	10,69,871	8,55,535	8,60,000	10,20,000	9,65,000	
Miscellaneous Public Improvements ...	70,971	77,963	1,07,605	1,49,025	1,15,000	1,00,000	80,000	
Total ...	17,98,793	19,80,414	24,91,207	22,99,386	24,00,000	25,20,000	24,00,000	
Establishment	9,84,000	9,84,906	11,72,459	12,62,932	13,00,000	11,48,000	12,00,000	Saving expected in 1916-17.

APPENDIX C.

Statement of receipts and charges of District Boards and District Road Funds in Bengal.

RECEIPTS.

HEADS OF REVENUE.	Actuals, 1915-16.	Revised estimate, 1916-17.	Budget estimate, 1917-18.	REMARKS.
	Rs.	Rs.	Rs.	
Land Revenue	788	914	941	
Local Rates	65,49,338	64,75,640	67,53,530	Represents collections of both Road and Public Works Cesses.
Interest	35,203	30,400	30,709	Includes interest on arrear collections of the Public Works Cess.
Law and Justice—Courts of Law ...	2,238	3,020	2,525	
Police	3,61,832	3,69,707	3,62,965	Represents receipts from pounds.
Education	10,02,881	8,91,786	8,98,689	
Medical	92,784	53,680	57,277	
Scientific and Miscellaneous Departments	5,862	7,155	8,199	
Stationery and Printing ...	3,108	200	600	
Miscellaneous	4,98,626	3,39,389	80,108	
Railways	73,654	82,000	81,000	
Irrigation Minor Works ...	15,776	18,750	22,130	
Civil Works	12,96,156	9,11,851	8,47,679	
Debt, Deposits and Advances ...	7,89,317	6,45,912	5,47,879	
Total ...	1,07,27,563	98,30,404	96,94,231	
Opening balance ...	30,65,284	22,73,874	8,27,525	
GRAND TOTAL ...	1,37,92,847	1,21,04,278	1,05,21,756	

CHARGES.

HEADS OF EXPENDITURE.	Actuals, 1915-16.	Revised estimate, 1916-17.	Budget estimate, 1917-18.	REMARKS.
	Rs.	Rs.	Rs.	
Refunds	35,578	20,979	320	
Land Revenue	27	3,881	82,983	
Local Rates	1,51,787	1,10,227	1,85,291	Represents provision : the entire charges the cess-collecti establishment, whicl wholly borne District Boards.
Interest	12,653	6,359	6,350	
General Administration ...	2,73,255	3,03,392	3,06,557	
Law and Justice—Courts of Law ...	3,770	5,266	5,141	
Police	21,551	25,639	24,404	
Ports and Pilotage	10,894	8,300	8,920	
Education	24,10,464	23,25,170	22,04,791	
Medical	8,04,027	8,94,374	8,65,649	
Minor Departments	1,00,587	1,61,869	1,47,838	
Superannuation and Pensions ...	60,896	77,494	75,888	
Stationery and Printing ...	32,358	34,348	35,620	
Miscellaneous	34,049	86,954	32,996	
Famine Relief	2,94,148	2,50,605	11,667	
Railways	..	...	56,000	
Irrigation Minor Works ...	1,253	2,13,364	...	
Civil Works	64,25,272	61,75,736	50,92,078	
Debt, Deposits and Advances ...	8,46,404	5,72,805	6,27,535	
Total ...	1,15,18,973	1,12,76,753	97,70,028	
Closing balance ..	22,73,874	8,27,525	7,51,728	
GRAND TOTAL ...	1,37,92,847	1,21,04,278	1,05,21,756	

Obligatory schemes which have been provided for in the budget for 1917-18.

Major budget head and sub-head under which provision has been made.	Nature of scheme	Estimate of ultimate maximum cost.			Estimate of expenditure in 1917-18.			Remarks.
		Non-recurring	Recurring	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
		Rs	Rs	Rs.	Rs.	Rs	Rs.	
3.—Land Revenue.								
Charges of District Administration.	Additional Chaukidari Circle Officers	.....	20,000	20,000	.....	20,000	20,000	In accordance with the orders of the Government of India on the retrenchment of expenditure in all departments, the Settlement expenditure of the Presidency has been reduced to a great extent, which has thrown many Settlement kanungos out of employment. The retention of these men in Government employ will ensure that the Settlement operations after the war will be conducted in an efficient and less costly manner. It is therefore suggested to employ them as Chaukidari Circle Officers. At present some 40 Sub-Deputy Collectors are employed on this work in different districts, but there is ample room for more men, and Settlement kanungos would make very suitable officers for this purpose.
7.—Excise								
Superintendence ...	Appointment of one Additional Deputy Commissioner.	.....	10,200	10,200	.....	10,200	10,200	The general scheme for the reorganization of the Excise Department and its amalgamation with the Salt Department has already been sanctioned by the Secretary of State and its introduction is being effected gradually. The Excise Commissioner proposes the appointment of one Additional Deputy Commissioner from 1917-18 on Rs. 850.
District Establishment ...	Construction of a launch.	6,000	.....	6,000	6,000	.....	6,000	It is required to replace the cutter *Hard* which was lost in a storm while being used by the Subdivisional Officer of Cox's Bazar.
	Total ...	6,000	10,200	16,200	6,000	10,200	16,200	

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1917-18.			Remarks.	
		Non-recurring.	Recurring.	Total	Non-recurring.	Recurring.	Total		
1	2	3	4	5	6	7	8	9	
		Rs.	Rs.	Rs.	Rs	Rs.	Rs.	The details are —	Rs.
10.—Income-tax									
Calcutta Establishment ...	Additional temporary establishment	.....	18,168	18,168	.....	18,168	18,168	1 Assistant Collector on Rs. 750 and conveyance allowance Rs. 50 ...	800
	Provincial share ...	.....	9,084	9,084	.....	9,084	9,084	1 Income-tax Assessor on Rs. 200 and fixed travelling allowance Rs 50	250
								1 Clerk (Rs. 70)	70
								1 Clerk (Rs. 60)	60
								3 Clerks (Rs 50 each) ...	150
								2 Clerks (Rs. 40 each) ...	80
								1 Assessor's Clerk (Rs. 30) ...	30
								3 Peons (Rs. 8 each)	24
								2 Probationers (Rs. 25 each) ...	50
									1,514 per mensem or 18,168 per annum.
								This additional establishment had to be sanctioned temporarily in September 1916 on account of increase of work in consequence of the new Income-tax Act of 1916.	
11.—Forests.									
A.—Conservancy and works	Preparation of working plan of the Kurseong Forests.	24,000	.....	24,000	24,000	.....	24,000	The existing working plan was prepared for the 15 years from 1904-05 to 1918-19. The next plan will be taken in hand in 1917-18 and probably six months will be required to finish it. The expenditure has been estimated on 100 square miles at Rs. 256 per square mile. It is necessary to the	

19A.—LAW AND JUSTICE —COURTS OF LAW.							
High Court	Shorthand writers ...	...	12,240	12 240	...	12,240	12,240

In January last the Government of India sanctioned as an experimental measure for a year the trial by the High Court of an arrangement under which typewritten transcripts of the evidence of witnesses given in the Court were to be supplied at a cost of Rs. 1,000 per mensem In virtue of this order, a lump provision of Rs 12,000 was made in the budget for 1916-17. As certain difficulties arose in connection with the contract, the Government of India have since sanctioned an alternative scheme submitted by the High Court for the employment of shorthand writers in the Original Side of the Court to do the work. The detailed cost of the scheme is :—

	Rs	Rs.
1 Shorthand writer on	300 per mensem ...	300
1 ditto on	300 do. ...	300
1 ditto on	200 do ...	200
2 Typists on	60 each ...	120
Stationery, including typewriters	...	100
	Total ...	1,020 per mensem or 12 240 per annum.

Reorganization of establishment.	..	•	33 483	33 483	...	33,483	33 483

The scheme for reorganizing the High Court establishment on both Original and Appellate Sides was kept pending in view of the financial stringency brought about by the war. Since the creation of the new High Court at Patna, the constitution of the ministerial establishment of the Calcutta High Court has been materially affected, and though the situation has not financially improved, it is desirable to introduce the new scales of pay and grading simultaneously with the reduction of establishment caused by the opening of the Patna High Court The proposal has recently been sanctioned by the Government of India.

Total	..	...	45,723	45 723	...	45 723	45,723

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1917-18.			Remarks.
		Non-recurring.	Recurring	Total.	Non-recurring.	Recurring	Total.	
1	2	3	4	5	6	7	8	9
20.—Police.		Rs.	Rs	Rs	Rs.	Rs	Rs	
Presidency Police ...	Additional staff for Motor Vehicles Department.	300	6,384	6,684	...	6,384	6,384	This has been sanctioned in view of the enormous increase in motor traffic and with a view to the efficient administration of the rules framed under the Indian Motor Vehicles Act of 1914. The cost is shown below :— Rs. 1 Inspector ... ... 250 Conveyance allowance ... 25 1 Sub-Inspector ... ... 150 Conveyance allowance ... 20 Contingencies ... ... 40 Rent for accommodation of Inspector and Sub-Inspector ... 100 1 Clerk ... ... 100 1 Do. ... ... 60 1 Do. ... ... 40 1 Daftri ... ... 12 797 *Deduct* as set-off allowance of Shipwright-Surveyor (250) and of his clerk (15) ... ... 265 532 per mensem. or 6,384 per annum. The non-recurring charge of Rs. 300 is for furniture and has been incurred in 1916-17.
	Creation of appointments of Assistant Commissioners.	...	10,440	10,440	...	10,440	10,440	The new appointments of Assistant Commissioners have been sanctioned in place of 8 Circle Inspectors hitherto employed in the Calcutta Police in order to increase the efficiency of the Calcutta Police by improving the prospects, and providing a better avenue for the promotion of officers in the subordinate grades. The cost is as follows :— Rs. 1 Assistant Commissioner (500) ... 500 2 Assistant Commissioners (450) ... 900 3 Assistant Commissioners (400) ... 1,200 Conveyance allowance (50 each) ... 300

								or 10,440 per annum
Ditto	...	**Revision of the Special Branch establishment and their allowances.**	5,576	72,256	77,832	...	71,845	71,845	The increased activity of the revolutionary organization in Calcutta has rendered it necessary to strengthen the staff of the Special Branch of the Calcutta Police and to sanction the grant of allowances at enhanced rates to the officers engaged in the detection of political crime at great personal risk. The scheme has been sanctioned by the Secretary of State. The estimated cost is :— Rs. A. Pay of additional constables ... 2,121 8 Conveyance allowance ... 195 0 Local allowance ... 1,696 0 Special allowance ... 800 0 House-rent ... 900 0 Contingencies ... 212 0 5,924 8 × 12 = 71,094 Clothing ... ... 508 Ammunition ... ... 243 Total ... 71,845
		Rent of fire-alarm pillars	...	7,583	7,583	...	7,583	7,583	The installation of 130 fire-alarm pillars in the streets of Calcutta has been sanctioned at an annual rental of Rs. 175 each as a means for speedy dissemination of intelligence relating to crime and criminals and it has been directed that the Calcutta Police should bear one third of the cost, the remaining two thirds share being paid out of the Fire Brigade Funds.
		Appointment of additional Sergeants.	...	32,236	32,236	...	32,236	32,236	In view of the situation created by the war and the disturbance created by *goondas* in the crowded parts of the city sanction was accorded to the creation of 13 additional Sergeants for patrol work and to the grant of a bicycle allowance of Rs. 20 to these additional Sergeants as well as to 11 permanent incumbents. It is proposed to continue the arrangement for the present. The cost is— Rs. Pay ... ... 1,300 House-rent ... ... 650 Contingencies ... ... 130 Bicycle allowance ... 480 2,560 × 12 = 30,720 Clothing ... ... 216 First kit and maintenance ... 1,300 Total ... 32,236

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1917-18.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
20.—Police		Rs.	Rs.	Rs.	Rs.	Rs.	Rs	
Presidency Police ...	Reorganization of the Criminal Investigation Department.	...	70,000	70,000	...	30,000	30,000	On account of the general prevalence of crime in many directions, such as smuggling of cocaine opium, etc., a thorough reorganization of the Criminal Investigation Department is necessary. The Commissioner of Police is formulating the scheme and has estimated the increased cost at Rs. 70,000 approximately. In view of the financial stringency, a provision of Rs. 30,000 is proposed for 1917-18 to give partial effect to the scheme.
	River patrol arrangement	2,10,768	23,265	2,34,033	2,10,768	23,265	2,34,033	The river patrol arrangement is very necessary for preventing the illicit traffic in the river. The details of the scheme are shown below :—

	Non-recurring.	Recurring.
	Rs.	Rs.
6 steam-launches ...	2,10,000	...
Clothing ...	768	...
Sergeants and constables	...	5,256
Hiring of accommodation	...	1,800
Steam-launch staff ...	...	8,769
Clothing for crew ...	...	1,200
Coa and stores ...	...	3,600
Repairs, replacements, paintings, etc ...	...	2,640
	2,10,768	23,265

District Executive Force ...	Revision of the scale of armourers in the Civil Police.	2,073	9,315	11,388	800	5,000	5,800	This is a sanctioned scheme Rupees 2,000 (recurring) and Rs. 500 (non-recurring) were provided in 1916-17. Rupees 5,800 has been proposed against Rs. 9,315 wanted by the Inspector-General of Police for 1917-18.
	Redistribution of areas of Netrakona and Barhatta police-stations in Mymensingh.	1,689	9,713	11,402	...	9,713	9,713	The scheme has already been approved and effect will be given from January 1917. The non-recurring expenditure will be incurred in 1916-17. The details of cost for 1917-18 are :—

	Rs.
2 Sub-Inspectors	1,560
4 Head-constables	930
24 Constables	3,312
Allowances	3,132
Other charges (hire of boats, main-	[illegible]

							details are :—

	Rs.
16 Sub-Inspectors	12,840
7 Head-constables	1,650
18 Constables	2,160
Allowances	5,172
Contingencies, etc.	1,832
Recurring	23,654
Non-recurring (for clothing, cots, mosquito-nets, accoutrements, etc.)	1,080

Reorganization of the subordinate police in East Bengal.	2,683	57,003	59,686	1,380	11,501	12,881	This has already received the sanction of the Secretary of State and effect is being given gradually as funds permit. The Inspector-General wanted provision of Rs. 51,658 (recurring) and Rs. 2,683 (non-recurring) during 1917-18 on account of seven items. It is proposed however to provide for the following three items —

	Non-recurring	Recurring
	Rs.	Rs.
Reconstitution of Sherpur town police	140	847
Reconstitution of Jamalpur town police	160	836
Entertainment of Head constables to raise their number to ultimate strength	1,080	9,818
Total ...	1,380	11,501

Rent of premises No. 13/14, Elysium Row, Calcutta.	...	12,000	12,000	...	12,000	12,000	This has been sanctioned with effect from June 1916 to provide more suitable accommodation for the office of the Intelligence Branch
New works in connection with the reorganization of the subordinate police in East Bengal	3,00,000	...	3,00,000	3,00,000	...	3,00,000	The charges will be met from the Imperial on recurring grant for Police buildings which is earmarked in the Provincial balance
Works in progress in connection with the reorganization of the subordinate police in East Bengal.	1,00,000	...	1,00,000	1,00,000	...	1,00,000	

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1917-18.			Remarks
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
20.—Police—*continued.*		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
	Establishment of a regular system of telephone connections.	..	1,00,000	1,00,000	...	10,000	10,000	This is required for the prevention and detection of crime in the several districts of the Presidency. The Inspector-General wanted a provision of Rs. 40,000 in 1917-18, but owing to financial stringency only Rs. 10,000 has been proposed.
	Entertainment of extra force for six beat-posts in Bankura.	2,288	10,009	12,297	2,288	7,983	10,271	Owing to the prevalence of crime in some of the police-stations in the district of Bankura, especially those bordering on colliery tracts, these beat-posts are necessary. Experiments have already shown excellent results.
	Entertainment of a Circle Inspector and Court staff at Kalimpong.	345	4,967	5,312	345	4,382	4,727	A new subdivision has been opened at Kalimpong and it is necessary to appoint a Circle Inspector and Court staff for it.
	Splitting up the jurisdiction of Madaripur police-station.	710	5,200	5,910	710	5,200	5,910	Owing to the very great increase of work in the Madaripur police-station, especially in connection with political cases, it is necessary to afford relief to the staff by dividing the jurisdiction into two charges.
Other police ...	Reorganization of River Police in East Bengal.	3,32,228	15,498	3,47,726	93,112	13,530	1,06,642	This has already been sanctioned by the Secretary of State and effect has been given gradually as funds permitted. In the current year's budget a provision of Rs. 36,160 (recurring) and Rs. 23,840 (non-recurring) were made. It has been proposed to provide for the following in 1917-18:—

	Non-recurring.	Recurring.
	Rs.	Rs.
Crew for four thana launches	...	7,824
Construction of two sets of floating quarters for Inspectors	12,470	...
Cost of dockyard stores ...	2,000	...
Staff for workshop establishment	...	5,706
Construction of four thana launches at Rs. 13,850 each ...	55,400	...
Construction of two floating thanas, one second class at Rs. 13,262 and one third class at Rs. 9,980	23,242	...

							9 Sergeants ... 1,037 ,, ,, 44 Head-constables ... 846 ,, ,, 342 Constables ... 3,933 ,, ,, Allowances ... ... 15,364 Contingencies and clothing, kit, etc. 10,620
	Splitting up the jurisdiction of Khulna police-station.	991	7,555	8,546	991	3,009	4,000	Owing to the increase of cognizable offence and in view of the fact that the police-station is now situated in one corner of its jurisdiction and thus great difficulty is felt by the people in reporting crime and by investigating officers in conducting investigations, it is proposed to divide the area into three centres by establishment of two new police-stations. The Inspector-General provided Rs. 991 (non-recurring) and Rs. 6,748 (recurring) in 1917-18, but provision of Rs. 4,000 has been made to give partial effect to the scheme later on in the year
	Redistribution of the jurisdiction of Kishoreganj and Badla police stations, Mymensingh	1,690	13,873	15,563	1,690	12,000	13,690	Owing to increase of crime it has been found necessary to redistribute the jurisdiction and to establish three new police-stations within this area.
	Establishment of a Detective Department for the district of the 24 Parganas	907	23,279	24,186	907	10,000	10,907	Owing to the proximity of the 24-Parganas to Calcutta and Howrah and the close affinity of crime between these districts, it is very necessary to establish a Detective Department in the 24-Parganas like that existing at Howrah. The Inspector-General provided Rs. 22,814 (recurring) and Rs. 907 (non-recurring) in 1917-18, but provision has been made to give gradual effect to the scheme
	Encrotchment of additional Sub-Inspectors.		26,580	26,580	...	26,580	26,580	The proposal is to appoint 31 additional Sub-Inspectors permanently to replace Sub-Inspectors for stenography and crime work in the office of the Range Deputy Inspectors-General and understudy in the Finger Print Bureau. Owing to want of provision for such duties in the cadre and the stoppage of acting promotions of Head-constables it is impossible to spare officers for this purpose
Superintendence	... Creation of a fifth Range Deputy Inspector-General.	2,902	30,486	33,388	2,802	30,360	32,962	The sanction of the Secretary of State has been received. Rs. Pay of Deputy Inspector-General, 2 Sub-Inspectors and 7 constables ... 20,286 Allowances .. .. 3,304 Establishment .. .. 4,932 Contingencies ... ... 1,964 Total ... 30,486

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1917-18.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
Police—*continued.*		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
District Executive staff ...	Raising the pay of European Inspectors.	..	18,150	18,150	...	18,150	18,150	For certain classes of duties the employment of European Inspectors is essential. At the same time experience has shown that the present sanctioned rate of pay is not a sufficient living wage for this class of officers. The minimum pay will now be Rs. 200 and there will be ten appointments on Rs. 250.
	Extension of station-boat system	18,307	20,680	38,987	18,307	20,680	38,987	The station-boat scheme introduced in certain districts of the Dacca Range has given most satisfactory results in the prevention and detection of crime in waterways lying beyond the jurisdiction of the River Police. It is therefore proposed to extend the scheme to certain other districts of East Bengal as well as to certain districts of West Bengal. The provision represents the cost of 20 boats with force and crew.
	Raising the proportion of the ordinary reserve of Head-constables and constables.	71,403	3,50,564	4,21,967	14,281	58,873	73,154	The present scale of ordinary reserve for Head-constables and constables has been found inadequate. Experience has shown that with a reserve fixed at 15 per cent. of the active force it is absolutely impossible to maintain the force at the required strength even in the healthiest districts. It is proposed to spread the introduction of the scheme over a period of five years.
Railway Police ...	Increase of staff of the ordinary reserve of the East Indian Railway Police, Howrah.	619	2,725	3,344	619	2,087	2,706	
Criminal Investigation Department.	Appointment of a temporary staff for the Criminal Investigation Department.	10,295	...	10,295	10,295	...	10,295	Owing to the increase of dacoity in the Presidency a temporary strengthening of the Criminal Investigation Department staff is absolutely necessary. It is proposed to

								The Inspector-General wanted a provision of Rs. 18,462 in 1917-18 but only Rs. 10,000 has been proposed to provide for 17 Sub-Inspectors, if funds are available.
Ditto ...	Supply of tents and tarpaulins.	15,000	...	15,000	15,000	...	15,000	These are required for Presidency, Dacca and Rajshahi Ranges.
Railway police ...	Additional staff for the East Indian Railway Police.	177	6,441	6,618	177	6,316	6,493	It is proposed to appoint 4 Sub-Inspectors and 4 constables for seal-checking duties on the East Indian Railway, and also to regrade the Sub-Inspectors consequent on the division of jurisdiction of the East Indian Railway Police between Bengal and Bihar and Orissa.
District Executive staff ...	Revision of the District Intelligence Branch establishment	22,377	3,26,619	3,48,996	20,000	2,30,000	2,50,000	Owing to the very great increase of work in the Intelligence Branch it is proposed to decentralise the work by strengthening the District Intelligence staff. This will require the appointment of extra staff and officers of the rank of Superintendents of Police at some important centres.
Ditto ...	Additional staff for enquiries to be made regarding gangs which may be brought under Criminal Tribes Act	346	19,520	19,866	346	9,654	10,000	The enquiries in connection with the working of the Criminal Tribes Act have been found to be beyond the capacity of the present sanctioned staff and extra help is urgently required. It is therefore proposed to add 4 Inspectors, 2 Sub-Inspectors and 8 constables to the present staff
Ditto ...	Installation of telephone connections.	956	10,020	10,976	956	10,020	10,976	It is proposed to instal telephone connections in the district of the 24-Parganas and Howrah and to purchase whistles for the town police
Ditto ...	Rents, rates and taxes ...	...	1,37,000	1,37,000	...	1,37,000	1,37,000	This is to provide funds to meet house rent for Sub-Inspectors and officers of lower rank who are entitled to free quarters, but have not been provided with them
Ditto ...	Installation of a printing press.	...	5,880	5,880	...	5,880	5,880	This is necessary for printing confidential papers of the Intelligence Branch. A linotype press indented for the Bengal Secretariat Press will be made over to the Police Department. The recurring cost for 1917-18 is for the staff and other [illegible]
Ditto ...	Establishment of a Training School.	3,070	24,375	27,445	3,070	24,375	27,445	The proposal is to establish a school for the training of police officers in principles of preventive and detective work

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost.			Estimate of Expenditure in 1917-18.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring	Recurring.	Total.	
1	2	3	4	5	6	7	8	9
20.—Police—*concluded.*		Rs	Rs.	Rs.	Rs.	Rs.	Rs.	
Ditto ...	Karwal Nut Settlement ...	16,520	10,800	27,320	11,200	10,800	22,000	The Salvation Army have been entrusted with the work of settling the Karwal Nuts at Saidpur and are getting a grant of Rs. 3,600 yearly. Owing to unproductive labour of the settlements and the rise in price of materials due to war this grant is insufficient. Additional accommodation is required for these tribes as well as a *hajat* for them for disciplinary purposes.
Ditto ...	Strengthening the Intelligence Branch.	25,200	...	25,200	25,200	...	25,200	This is for the temporary deputation of two extra Superintendents to the Intelligence Branch to cope with the increased work. The two officers will be placed on special duty throughout the year 1917-18 in the Intelligence Branch. As this is required temporarily, it has been classed as non-recurring.
	Total ...	11,67,362	16,29,269	27,96,631	8,53,286	10,03,151	18,56,437	
21.—Ports and Pilotage.								
Salaries and allowances of officers and men afloat.	Appointment of mate pilots as chief officers.	5,760	...	5,760	5,760	...	5,760	The leadsmen who completed their time as officers of the pilot vessels asked to be relieved to enable them to learn the river, and after gaining experience, to pass their examination for promotion to the grade of mate pilot. Owing to shortage of leadsmen caused by the deputation of some of them to military duty and the difficulty experienced by the Secretary of State in obtaining suitable recruits from England, it was considered advisable that two mate pilots on the running list should be appointed as chief officers of the two pilot vessels *Fraser* and *Lady Fraser* on their grade pay of Rs. 400. The extra cost involved is :—

	Rs.
Grade pay of two mate pilots ...	9,600
Deduct—Pay of two chief officers ...	3,840
Total ...	5,760

As the arrangement is temporary the cost is shown as non-

								Eastern Bengal and Assam. It is now proposed to transfer them permanently under the direct management of Government. The recurring expenditure is on account of increase in the pay of teachers, etc., in order to bring the schools up to the Government standard. Rs. Bhola ... ... 5,568 Pirojpur ... ... 4,740 Jhalakati ... ... 5,076 Jamalpur ... ... 5,688 Total ... 21,072 A large sum estimated at about 5 lakhs is also required for new buildings for these schools, but under present financial conditions it is impossible to make any provision for this.
Grants-in-aid ...	Grants in-aid to Madrassas	...	25,000	25,000	..	25,000	25,000	This represents grants to Madrassas adopting the reformed curriculum.
	Total ...	5,00,000	46,072	5,46,072	...	46,072	46,072	
25.—POLITICAL.								
Miscellaneous and Secret Service	Charges arising from the internment of British subjects	2,06,000	...	2,06,000	2,06,000	...	2,06,000	Rs Allowances to State prisoners ... 5,000 Allowances to *détenus* under the Ingress into India Ordinance ... ... 1,000 Personal and family allowances to the *détenus* under the Defence of India Act ... ... 2,00,000 Total ... 2,06,000
26A.—AGRICULTURE								
Expert staff ...	Appointment of Additional District Agricultural officers.	...	7,848	7,848	...	7,848	7,848	To cope with the expansion of work in the Agriculture Department at least three Additional District Agricultural officers are required and provision should be made in the budget for 1917-18 if funds are available — Rs. Salary at Rs. 100 each ... 300 Travelling allowance at Rs 100 ... 300 3 Peons on Rs 8 each ... 24 Contingencies at Rs. 10 each ... 30 Total ... 654 per mensem or 7,848 per annum.

Major budget head and sub-head under which provision has been made.	Nature of scheme.	Estimate of ultimate maximum cost			Estimate of expenditure in 1917-18.			Remarks
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total	
1	2	3	4	5	6	7	8	9
26A.—Agriculture.								
Co-operative Societies ...	Appointment of a Joint-Registrar.	...	13,392	13,392	...	13,392	13,392	On the recommendation of the Committee on Co-operation in India a proposal has been submitted to the Government of India to sanction the creation of a post of Joint-Registrar to be held by an officer of the Indian Civil Service. The estimated cost is — Rs Salary Rs. 900 and local allowance Rs. 150 per mensem ... 1,050 1 Clerk (Rs. 50) per mensem ... 50 2 Peons on Rs. 8 each ... 16 1,116 per mensem or 13,392 a year
Ditto ...	Appointment of a Chief Auditor and additional Inspectors.	...	8,520	8,520	...	8,520	8,520	On account of the gradual expansion of the department, it has been decided to appoint one Chief Auditor on Rs. 250 and 4 additional Inspectors on Rs. 105 per mensem each and one peon at Rs. 5 per mensem for each of them.
	Total ...	...	29,760	29,760	...	29,760	29,760	
26B.—Scientific and Miscellaneous Departments.								
Cinchona Plantations ...	Additional European Gardeners	600	14,040	14,640	600	5,760	6,360	Owing to the great expansion of the cinchona plantations within recent years, it has become necessary to create two additional posts of Assistant Managers in the European Gardeners' Service for the Mungpoo and Munsong

								Pony allowance at Rs. 20 per mensem each 480 Upkeep of two ponies at Rs. 20 per mensem each ... ... 480 5,760 Purchase of two ponies 600
30.—STATIONERY AND PRINTING.								
Government Presses—Press and Forms Department.	Grant of 33 per cent. increase of pay to the establishment of the Forms Department.	...	9,330	9,330	...	9,330	9,330	This increase is necessary owing to the introduction of jail hours in the Forms Department. Jail hours were introduced in the Press section in 1914-15 and a similar increase of pay was given to the Press establishment. It is desirable that both the Press and Forms establishment should work jail hours from early in the morning to 5 P.M.
	GRAND TOTAL ...	19,09,722	18,13,478	37,23,200	10,95,646	11,79,080	22,74,726	

LIST OF BUSINESS—ITEM No. 4.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR moved the following Resolution :—

This Council recommends to the Governor in Council that the Government do take into consideration the amendment of the Bengal Land Revenue Sales Act, 1859 (XI of 1859)

He said :—" My Lord, at the outset, I desire to explain that the object of my moving this resolution is to remove an obstacle which stands solid in the way of development of certain areas within the Calcutta Corporation—areas which are capable of great improvements but owing to this difficulty are remaining undeveloped. Under the present rules of the Board of Revenue these areas cannot be made rent-free. Under sections 15 and 16 of the Land Revenue Sale Act as they stand, they are not immune from sale for arrears of revenue and their titles are not as perfect as titles of properties in Presidency towns should be. Preferential treatment to titles of properties in the Presidency towns have always been accorded owing to the high prices of such properties inasmuch as the Bengal Tenancy Act does not apply to properties in the Presidency towns ; and lastly the existing system of division of holdings are not adequate to help to the development of the areas.

There are three alternative ways of removing this difficulty : *first*, to allow revenues of the properties within this area to be redeemed on payment of thirty times of the annual amount as is done in cases of all properties in Calcutta and its suburbs under paragraph 2, section 4 of the Board's Tauzi Manual ; *secondly*, to accept the amendments of the sections 15 and 16 of the Act XI of 1859 as proposed by me ; and *lastly*, to allow separate accounts in the tauzi to the purchasers of portions of these properties, however small, so that these properties being divided in small parts and owned by different owners may be easily improved and developed.

Of the three ways, in my humble opinion, My Lord, the amendment of the sections seem to be the simplest. It does not in any way affect the principles of the Act, but would, on the other hand, help what was intended, that is, to "permanently secure the estates from sale for arrears of revenue."

As I have already stated, my Lord, that by this amendment we do not want any concessions, but rather want to surrender certain concessions already granted, namely, to give up the right to withdraw the securities.

My Lord, I confine my amendments to extend only to the properties included in the Calcutta Municipal Corporation ; and if the amendments are accepted, they would materially help to the improvement and development of a certain portion of the suburbs of Calcutta and thus directly help the objects of both the Calcutta Corporation and the Calcutta Improvement Trust.

The object of moving the resolution is to amend sections 15 and 16 of the aforesaid Act which as they stand read as follows :—

Deposit for the protection of an estate from sale.

15. If any recorded proprietor or co-partner of an estate shall deposit with the Collector money, or Government securities, endorsed and made payable to the order of the Collector, and shall sign an agreement pledging the same to Government by way of security for the jama of the entire estate, and authorising the Collector to apply to the payment of any arrear of revenue that may become due from that estate, the whole or any portion of the said money or securities that may be necessary for that purpose, then, in the case of any arrear of revenue due from the same estate not being paid before sunset of the latest day of payment fixed under section 3 of this Act, the Collector shall apply to the payment of such arrear the said money or securities or such part thereof, or if any interest due on the said securities, as may be necessary ; and for this purpose the Collector shall first apply any money that may be in his hands and any interest that may be due upon such securities, and may then sell and transfer the securities, for any balance that may remain. And so long as any money or securities as aforesaid, sufficient

he Hon'ble RAI RADHA CHARAN PAL BAHADUR—*contd.*

cover any arrear that may fall due, shall remain and be available as aforeaid, the estate for the protection of which the said deposit was made shall be xempted from sale for arrears of revenue. All monies and securities so eposited shall be exempt from attachment otherwise than in execution of a ecree of a Civil Court.

Withdrawal of the deposit.

16. It shall be competent to the person making a deposit under the provision of the last preceding section, or his representative or assignee, at any time to withraw the deposit and to revoke the pledge of the same.

The object of section 15 is thus explained in the proceedings of Council hen the Bill was under consideration.

"It occasionally might happen, especially in the case of an absent proprietor, that a man's operty might be sold for arrears of revenue which accrued from no intentional default and no neglence on his part but from some accident or from the neglect of an agent. Now the property might be ry valuable, and if put up for sale, it might be sold for a sum very disproportionate to its value to its oprietor. To enable proprietors to secure themselves, if they choose, from any such risk, he had provided at every zamindar paying revenue directly to Government on entire estate should have the power of dging with the Collector a sum of money or Company's paper for the purpose of being applied to the ymnent of any arrear of revenue that might remain due upon its estate, after sunset of the latest day payment. This, if the deposit were made equal to one or two instalments of revenue, would secure the tate from the possibility of being sold, even if the proprietor were living in England. The deposit ight be made in Government securities sufficient in amount to pay the revenue from the interest, *whereby e estate might be permanently secured from sale for arrears of revenue*, a provision which might be of use r peculiar *properties which*, from buildings having been erected upon them, gardens or orchards having en planted upon them, or from other like causes, *were of great value in proportion to the revenue assessed on them*" (*Proceedings of the Legislative Council, Volume 1, page 855.*)

The year 1859 was a memorable year for framing laws regarding the evenue of the country, specially Bengal, just after the taking over of the npire by the Crown from the hands of the East India Company. So far as e above sections are concerned, it is evident that the object of section 5 was to permanently secure from sale for arrears of revenue such estates s were of great value in proportion to the amount of revenue payable in espect of them, but in course of over half a century certain petty estates, ecially those which lie within the Calcutta Municipal jurisdiction, ave become of such great value owing to palatial buildings being built and e areas otherwise developed to enormous value compared to the revenue ayable in respect of them that certain alterations have become incumbent in the ove two sections to ensure the absentee or other owners of such estates from le for arrears of revenue.

Under the present sections privileges have been given to the depositors f Government securities or other amounts, for protection of the estates from ales, to withdraw the securities or monies by them or their heirs, at their iscretion. The intentions were noble indeed inasmuch as those who owing absence or otherwise wanted to protect the estates temporarily from sale ould have the opportunity of getting back their monies at their will, without eing compelled to forego the amounts for ever; but those who would like to ermanently secure the estates from sale could not do so under the sections ough in the notes explaining the object of the section 15 it is clearly stated at "the deposit might be made in Government securities whereby the states may be permanently secured from sales for arrears of revenue." It is lear that those who want to avail themselves of the privileges of withdrawig the deposits are at liberty to do so, but those who want to *permanently* ecure the estates from sale and forego the privileges of themselves or their eirs from withdrawing the deposits, the sections as they stand do not elp them.

So it is proposed that in order to facilitate those who want to *permanent-* secure the estates from sale for arrears of revenue provision may be made sections 15 and 16 so that they may do so, and the necessary amendment n the following lines may be made in the Act.

That the word "or separated" be put after the word "Entire" in line 6 f section 15 of the Land Revenue Sale Act in the Edition of 1902.

Mr. P. C. Mitter.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR—*concld.*

That the sentence "Provided that if such recorded proprietor or co-partner desires that such amounts or Government securities be permanently held by the Collector for the purposes and in the manner as aforesaid and execute necessary documents in favour of the Collector then such amounts or securities would be exempt from attachments in execution of any decree whatsoever" after the word "Civil Court" in line 24 of section 15 in the Edition of 1902.

That the following sentence "Provided that if the deposit is made permanently as provided in the latter part of the preceding section it shall not be competent for the depositor or his representative or assignee to withdraw the deposit and revoke the pledge of the same" after the words "Pledge of the same" in section 16, line 5, in the Edition of 1902.

It is a matter of vital importance to the holders of petty estates specially within the limits of the Calcutta Municipal jurisdiction.

Under the present Acts and rules of the Board (Chapter II, section IV, paragraph 2 of Board's Tauzi Manual) the holder of properties in Calcutta and its suburbs in the north, east, and a portion of south on the east of the canal enjoy the privileges of having their properties redeemed from payment of revenue; but those who are on the west side of the canal including Alipur, Kidderpore, Chetla, etc., which are of no less importance in regard to value or population than other suburbs are under a great disadvantage and ban.

It is a modest request, a request which does not claim any privilege, but the option to forego certain privileges that have already been granted.

The acceptance of the resolution would not in any way embarrass the Government or affect the principles which led to the passing of this portion of the Act as, if the depositors do not withdraw the securities, they will permanently remain with the Collector. But the amendment of the Act on the lines indicated would help them to bind their heirs from withdrawing the securities and thus permanently secure the estates from sale, which object is defeated by the present wording of the sections. The Act was passed sixty years ago and it requires amendment not only from my point of view, but also from other points of view. I would now like to hear what the Hon'ble Member in charge of Land Revenues has to say."

The Hon'ble MR. P. C. MITTER said :—

"My Lord, I must confess that the resolution as drafted is so vague that taking one's stand on the resolution itself, it is rather difficult to discuss it. The Hon'ble Mover has however explained that his real object is to amend section 15 of the Revenue Sale Law in this way, *viz.*, that under the present Revenue Sale Law a proprietor can deposit Government promissory notes for the protection of the revenue sale of his property, but these Government promissory notes are saleable and attachable in execution, and are further withdrawable by the proprietor himself. The object of the Hon'ble Mover is that the proprietor may be allowed to enter into some sort of arrangement with the Government by which he will be precluded from withdrawing these Government promissory notes, in other words, he will in effect part with his interest of these papers so that these papers may always lie with the Collector for the protection of the Estate. My Lord, so far as that object is concerned, I for one, venture to think that neither the proprietor nor the Government can have any objection. It is only the speculative or fraudulent auction purchaser whose object may be defeated. My Lord, this is a question which, I believe, requires further discussion and my Hon'ble friend's resolution only suggests that the Revenue Sale Law should be amended. I believe, if the Resolution is accepted with the modification that the Revenue Sale Law so far as sections 15 and 16 are concerned be amended—these are the provisions with which the present question is concerned—then we may have an opportunity of discussing the question and of submitting our suggestions in detail to the Government. But at this stage I have only one suggestion to make and that is this: In the

Rai Mahendra Chandra Mitra Bahadur.

The Hon'ble Mr. P. C. Mitter—*concld.*

neighbourhood of Calcutta there is an area known as the Panchanagram. The revenues there are very small; a proprietor pays a revenue of Rs. 2 or Rs. 4 or Rs. 5, but the market value of his property may be a lakh of rupees or more. If by fraud of the agent or on account of some accident or omission on the part of the owner that small sum is not paid into the Collectorate on the due date, the property may be purchased by a fraudulent auction purchaser, say, for 2 or Rs. 5,000. My Lord, there is also a provision under the rules framed by Government by which on payment of 30 years' revenue the property may be redeemed. I speak subject to correction that in some portions of the suburbs of Calcutta such as Alipore, Kidderpore and other places, this provision has not been extended. It lies with the officers of the Government to extend these provisions immediately to places like Kidderpore and Alipore, when the value of property is considerable, and if that is done, My Lord, then Kidderpore and Alipore landowners will be greatly benefitted. With these remarks I have much pleasure in supporting the principle for which my Hon'ble friend has drafted the resolution. But as I have already said, the resolution as drafted, seems to me to be too wide."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said:—

"My Lord, the resolution as it stands encourages me to discuss the question which arises on account of the defects of the entire law. The Hon'ble Mover has discussed partially a question which is connected with the several items which have been found necessary for amendment. Section 15 of the Act deals only with the deposit of Government securities and the protection of the person who deposits the amount, but, My Lord, there are various sections in the present Act which demand the consideration of the Council. This Act was passed 60 years ago, after full consideration by the Council for nearly 3 years. The Act itself is no doubt an embodiment of the principles of the old regulations. My Lord, after a period of nearly 60 years, the Act is viewed an antiquated one, and I beg Your Excellency's permission to refer to a few sections of the Act because they demand revision. If a portion of the Act is to be amended why not take this opportunity of remedying the defects in the other sections. I refer specially to sections 6, 7, 29 and other cognate sections of the Act. My Lord, we find in the course of our experience that the requirements of section 6 are defective. Experience has shown that there is an anomaly in the provisions of section 5 and section 6; notice is served in the mufassal under the requirements of section 5, but no such notice under section 6 is served. Although there is a healthy provision in section 18 which lays down the principle that a property may be saved by payment of the arrears of revenue, but the defaulters are not in a position to deposit them without such notice. Then, My Lord, there are laws which allow the payment of revenue before the sale, but there is nothing in the Act which recommends a procedure for the protection of an Estate after the sale. Your Lordship will find that there are sections in the Civil Procedure Code in the Bengal Tenancy Act, and in the Public Demands Recovery Act, III of 1913, but there is no section in Act XI of 1859 which authorises a defaulter after a sale takes place to protect the Estate. No doubt there is section 26 of the Act which allows the Commissioner of the Division to recommend the Board for cancellation of the sale, but then we stand upon the elastic expression 'ground of hardship', and it is left entirely to his discretion. There is nothing to suggest upon what tangible ground the sale is to be set aside. So, there are various sections of Act XI of 1859 which require careful consideration by Your Lordship's Council and if there be an amendment of one section only I propose that other amendments be made with regard to the defects which may be pointed out to Your Excellency's Government. All these suggestions demand consideration. No doubt my objections cannot be answered within a short time, but I solicit Your Excellency's Council to discuss whether there are defects in the Act itself and whether they demand revision by those who are interested in remedying

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR—*concld.*

them. The landlords are vitally interested in this matter and consequently their opinion ought to be asked for. With these few remarks, My Lord, I submit that the amendment proposed be taken into consideration with the other suggestions which I have made."

The Hon'ble BABU SURENDRA NATH RAY said :—

"My Lord, I do not want to say anything as regards the merits of this resolution, but what I have to suggest is whether it would not have been better to have brought forward a Bill in this Council, indicating the lines on which my friend wants the Act to be amended. Then the landlords would have had an opportunity of discussing the Bill. This resolution which is now before the Council is one of the vaguest ever brought forward before any Council. It is now, after hearing his explanation, that we come to know on what points he wants this Council to express their opinion. I think the remedy for him is to withdraw his resolution and then to bring forward a Bill indicating as I have said the lines on which he wants the Act to be amended."

The Hon'ble MR. BEATSON BELL said :—

"My Lord, we cannot but admire the courage of the Hon'ble Rai Radha Charan Pal Bahadur in bringing forward this resolution, which is practically tantamount to asking the House to reconsider the permanent settlement which was made in the time of Lord Cornwallis. The permanent settlement, like all contracts, consists of two parts. Here is one part—

'The Governor General in Council accordingly declares to the zamindars, independent talukdars and other actual proprietors of land with or on behalf of whom a settlement has been concluded under the Regulations above mentioned, that at the expiration of the term of the settlement no alteration will be made in the assessment which they have respectively engaged to pay, but that they and their heirs and lawful successors will be allowed to hold their Estates at such assessment for ever."

The other part is as follows :—

'To discharge the revenues at the stipulated periods without delay or evation and to conduct themselves with good faith and moderation towards their dependent talukdars and raiyats, are duties at all times indispensably required from the proprietors of land, and strict observance of those duties is now more than ever incumbent upon them, in return for the benefits which they will themselves derive from the orders now issued.

'The Governor General in Council therefore expects that the proprietors of land will not only act in this manner towards their dependent talukdars and raiyats, but also enjoin the strictest adherence to the same principles in the persons whom they may appoint to collect the rents from them.

'He further expects that, without deviating from this line of conduct, they will regularly discharge the revenue in all seasons; and he accordingly notifies to them, that, in future, no claims or application for suspensions or remissions on account of drought, inundation or other calamity of season, will be attended to, but that in the event of any zamindar, independent talukdar or other actual proprietor of land, with or on behalf of whom a settlement has been or may be concluded, or his or her heirs or successors, failing in the punctual discharge of the public revenue which has been or may be assessed upon their lands under the above-mentioned Regulations, *a sale of the whole of the lands of the defaulter, or such portion of them as may be sufficient to make good the arrear, will positively and invariably take place.*'

The Hon'ble Mover wants us to modify the second part of the contract; but it is difficult to see how this can be done without reopening the first part of the contract. Personally, I would never have dared to make such a

The Hon'ble MR. BEATSON BELL—*contd.*

suggestion. I recognise that the permanent settlement has been a bad Bargain for the State, but I hold, and have always held, that the State should stick to its bargain. It is not we, but the Hon'ble Mover and his friends, who would put the contract in the melting pot. As I said before, I admire his courage: but are his tactics good? Is it wise on his part to invite the attention of the tax-payers in other parts of India, and in other parts of the Empire, to the fact that we have a permanent settlement in Bengal—in other words, to the fact that in these days of stress the State is surrendering an annual sum of two million pounds sterling?

The Hon'ble Rai Mahendra Chandra Mitra Bahadur has gone further than the Hon'ble Mover. He has referred to the Sale Law as an antiquated act and has expressed a desire to amend it from beginning to end. Even more than the Hon'ble Mover, he would reconsider and reconstruct the permanent settlement.

I now turn to the specific amendments which the Hon'ble Mover has suggested. They relate to sections 15 and 16, and in particular to the somewhat technical subject of 'separate accounts.' When the permanent settlement was made, it was generally made with one or at the most two or three joint zamindars. By the terms of the permanent settlement the ordinary laws of succession, Hindu or Muhammadan as the case may be, were applied to landed property. As a natural result, many Estates which were originally owned by one man are now owned by 500 or 600, all jointly interested. These 500 or 600 men have probably formed themselves into 50 or 60 groups, each group making separate collections from the tenants. It is no uncommon thing to find a single tenant, whose total rent is perhaps only three rupees making separate payments of minute sums to 50 or 60 different groups of landlords. A more inconvenient arrangement would hardly be imagined. It is no wonder that these coparcener landlords feel very insecure and desire to have some protection from one another. One remedy, which is as old as the permanent settlement (it is mentioned in the proclamation of Lord Cornwallis), is to apply to the Collector for a partition of the lands and the constitution of a number of small Estates, each entirely independent. This is the only real remedy, but as it is apt to be expensive and troublesome, another remedy, unknown to the permanent settlement, has been granted by an indulgent Government. This is the remedy, the temporary remedy, of 'separate accounts.' By sections 10 to 14 of the Sale Law, a coparcener, or group of coparceners, in an Estate can open a 'separate account' in respect of his share. The result is that when an Estate defaults the share or shares in which there have been short payments are alone put up to auction on the first sale day. If the bidding is sufficient to wipe off the arrear, well and good. But if it is insufficient the entire Estate is put up to auction on the next sale day. Now, in sections 15 and 16 there is another, and totally distinct, concession to the landlords. These sections provide for a system of 'protective deposits.' Any proprietor can deposit cash or Government paper 'by way of security for the *jama* of the entire Estate.' This protects him from the carelessness or dishonesty of his agents. Incidentally, I may say that only 12 proprietors in the whole province have taken advantage of this concession. What the Hon'ble Mover proposes is that this concession should be extended from entire Estates to 'separate accounts.' Now it must be obvious, from the explanation which I have given of separate accounts, that this cannot be done. A protective deposit is an expedient which continues as long as the deposit remains, whereas a separate account is a thing which is liable to be wiped out whenever there has been a default, followed by inadequate bidding, in respect of *another* separate account. We cannot apply a continuous remedy to an ephemeral substance. If we attempt to do so we shall merely be giving a false sense of security to the holder of every separate account. In short, separate accounts are not separate Estates and they cannot be treated as if they were. If the holder of a separate account is not

The Hon'ble MR. BEATSON BELL—*concld.*

prepared to take the trouble to obtain a partition, he must protect himself by punctual payments and the appointment of trustworthy agents.

As regards the other amendment of the Hon'ble Mover, I am not sure that I entirely grasp it. I take it, however, that he advocates a system by which a proprietor can make a 'permanent' deposit, the interest of which will be sufficient to pay the Government revenue for all time. For the reasons which I have already explained it is impossible to think of such a system in respect to separate accounts. Even in respect to whole Estates it is equally impossible to accept it. After all, it is merely a roundabout way of 'redeeming' the demand on the Estate. Now, it was proposed in the time of Lord Canning that 'redemption' should be allowed on a somewhat extended scale. The proposal was carefully examined by the Secretary of State and was vetoed by him in his Despatch of 1862. We are not prepared to reopen the question.

I am aware that the Hon'ble Member would confine his proposals to the suburban areas of Calcutta. His reason apparently is that the land in these areas is very valuable and the revenue very small. The same argument would apply, more or less, to building sites in muffasal towns and I cannot see why we should grant the concession in one area and refuse it in another. Apart from this, it is a concession unknown to the permanent settlement and is it wise to reopen the question of the permanent settlement in these very areas in which the State is suffering the heaviest recurring loss from the contract of Lord Cornwallis? For these reasons, we are opposed to the specific suggestions of the Hon'ble Rai Radha Charan Pal Bahadur. As regards the other suggestions which have been made I can only say, on behalf of Government, that it is impossible for us either to accept or reject them at the present stage. If, however, any recognised body of landlords places them before us as their deliberate and corporate recommendation we shall examine them with an open mind. But once more, I would ask all concerned to think very carefully before they throw the permanent settlement into the melting pot. They may not love the 'sunset law,' they may even cordially dislike some of its provisions, but after all it is part and parcel of the contract of 1793 by which Government has loyally abided. In conclusion I would ask my Hon'ble friend not to press his resolution to a division."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, I have only a few words to say in reply. In the first place the Hon'ble Member, on behalf of Government, has, with his usual eloquence and in his usual style, opened his veiled attack upon the permanent settlement. But I can assure my Hon'ble friends that I did not offer it myself. My original motion which I sent to the Legislative Department in my own humble way, was framed suggesting amendments which I have explained in my speech and were worded exactly in the same way as I have explained here, but a direction came from the Legislative Department that the resolution should be worded as it stands now. I do not know, Sir, whether it was done without the knowledge of the Hon'ble Member representing the Government, but I shall not be a little amused to hear that it was perhaps intended to give my Hon'ble friend an opportunity of delivering a speech on permanent settlement and to proclaim from the housetops of Government House that two million pounds sterling are surrendered to the landlords of Bengal. I am not entering into the history of the permanent settlement, and I had not the remotest idea that I should be dragged into that controversy. My object is this, My Lord, that properties in Alipore, Kidderpore and Chetla, which are now included in the jurisdiction of the Calcutta Municipality, should be placed on the same footing as properties within the original area of the Calcutta Municipality, *i.e.*, within the ordinary original jurisdiction of the Calcutta High Court. My friend has not quite seen the difference between muffasal towns like Dacca and other places and the suburbs of Calcutta like Kidderpore,

The Hon'ble RAI RADHA CHARAN PAL BAHADUR—*concld.*

Alipore or Chetla which form part of greater Calcutta. But I believe when occasion arises, my friend will, when supporting the Calcutta Improvement Bill and some provisions of the Calcutta Municipal Act, say that the provisions are needed because Calcutta stands on a much higher level than some of the muffasal Municipalities of Bengal, such as Dacca, Burdwan and other places. Of course, such arguments we are accustomed to have from the official members whenever they suit them. My Lord, having regard to the fact that Calcutta has expanded, and is developing, I think it is quite fair to ask Government to consider whether the same facilities to secure properties against sale and purchase by any speculative purchaser at an auction could not be provided as in old Calcutta. I find that palatial buildings have been erected and large investments made outside old Calcutta, and I do not see why greater Calcutta should not be brought on the same level with old Calcutta. It is a question which deserves the consideration of Government. The resolution, as it now stands, may not be acceptable to some of my friends here, because the Hon'ble Member has shown them the bogie of upsetting the permanent settlement in his speech. I would, therefore, with Your Excellency's permission, now withdraw this resolution, and later on frame it in such a way after consultation with my Hon'ble colleagues, so that, though defeated now, I may have a sufficient number to show to my Hon'ble friend over there (the Hon'ble Mr. Beatson Bell) that it is not an attempt to subvert the permanent settlement, but to secure reasonable and equal treatment of properties in all parts of Calcutta on the same basis as is accorded to properties inside old Calcutta.

The resolution was then, by leave of the President, withdrawn.

ADJOURNMENT.

The Council was then adjourned till Tuesday, the 3rd April, 1917, at 11 A.M.

C. TINDALL,
Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council.

CALCUTTA:
The 2nd April, 1917.

B. S. Press—26-4-1917—3547J—350—R. F

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, alcutta, on Tuesday, the 3rd April, 1917, at 11 A.M

Present :

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble MR. P. C. LYON, C.S.I., *Vice-President*

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA, K.C.I.E

The Hon'ble MR. N. D. BEATSON BELL, C.S.I., C.I.E.

The Hon'ble SURGEON-GENERAL W. R EDWARDS, C.B., C.M.G.

The Hon'ble MR. J. LANG.

The Hon'ble MR. B. C. MITRA.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble MR. J. DONALD.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. W. W. HORNELL.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. E. B. H. PANTON.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR.

The Hon'ble IHTISHAM-UL-MULK RAIS-UD-DAULA AMIR-UL-OMRAH NAWAB SIR ASIF QADR SAIYID WASIF 'ALI MIRZA KHAN BAHADUR MAHABAT JANG, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble DR. NILRATAN SARKAR.

The Hon'ble MR. J. MACKENZIE.

The Hon'ble MR. G. C. GODFREY.

The Hon'ble MR. AMINUR RAHAMAN

The Hon'ble RAJA HARISHIKESH LAHA, C.I.E.

The Hon'ble MR. R. GLEN.

The Hon'ble MR. PROVASH CHUNDER MITTER.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI, C.I.E.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. F. W. CARTER, C.I.E.

The Hon'ble SIR A. BIRKMYRE, KT.

The Hon'ble MR. E. B. EDEN.

The Hon'ble MR. H. R. A. IRWIN.

The Hon'ble DR. ABDUALLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble MR. A. RASUL.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

LIST OF BUSINESS—ITEM No. 1

OATH OF ALLEGIANCE.

The Hon'ble Mr. J. G. Cumming and the Hon'ble Mr. E. B. H. Panton made an oath of their allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.

(STARRED QUESTIONS.)

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

*1. (*a*) Is it a fact that the Secretary of State has sanctioned the abolition of the existing 5th grade of Munsifs; if so, when was the sanction received and from what time was it intended to take effect? Lowest grade of Munsifs.

(*b*) Will the Government be pleased to lay on the table all material papers and correspondence relating to this sanction, or at any rate the final communications regarding the said sanction?

(*c*) Will the Government be pleased to state whether the said sanction was intended by the higher authorities to be given effect to, irrespective of the recommendations of the Public Services Commission?

(*d*) Was it at any time in the contemplation of the Local Government to give effect to the sanctioned abolition, since the receipt of the sanction, if so, when?

(*e*) Is it a fact that, in their report, the Public Services Commission have proceeded on the assumption that the existing lowest grade of Munsifs in Bengal is the 4th grade on Rs. 250?

Answer by the Hon'ble MR. KERR :—

"(*a*) to (*d*) So far as the Government of Bengal are aware, the question of the abolition of the 5th grade of Munsifs has never been submitted to the Secretary of State. The Government of India intimated in 1914 that consideration of the matter must be deferred pending the receipt of the report of the Royal Commission on the Public Services.

(*e*) The Commission do not appear to have referred in their report to the pay of the existing lowest grade of Munsifs, but, in the table on page 225 of the report under the heading "Present Scale," the Munsifs on Rs. 200 are termed officiating Munsifs. It is clear, however, from the evidence given before the Commission that they must have been aware that the present pay of the lowest grade of Munsifs in Bengal is Rs 200."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

*2. Will the Government be pleased to lay on the table a statement for the last five years, showing, year by year, the number of Bengali emigrants, if any, under the system of indenture, with particular reference to— Bengali emigrants.

(*i*) their destination;

(*ii*) their religion and caste and home district;

(*iii*) the proportion of males to females; and

(*iv*) the number of children of either sex accompanying them?

Answer by the Hon'ble MR. DONALD :—

"A statement giving the information asked for by the Hon'ble Member is laid on the table. Exact information as to the home district of the emigrant is not available and the district of residence has therefore been adopted in the statement."

Statement referred to by the Hon'ble MR. DONALD *to Question No. 2 (starred) asked by the Hon'ble* BABU BHABENDRA CHANDRA RAY *at the Council Meeting of the 3rd April, 1917, showing the number of residents of Bengal who emigrated under indenture to the several Colonies during 1912 to 1916.*

District of residence.	Number of emigrants and their religion and caste.
1912.	
British Guiana.	
Howrah	1 Hindu (Kaith).
24-Parganas	1 Hindu (Kurmi).
Dinajpur	1 Muhammadan.
	3 (males).
Trinidad.	
Burdwan	3 { 1 Hindu (Bagdi). 2 Muhammadans.
Midnapore	1 Hindu (Ahir).
Nadia	1 Muhammadan.
Dacca	3 Muhammadans.
Faridpur	1 Hindu (Goala).
Mymensingh	1 Muhammadan.
Chittagong	2 Muhammadans.
	12 (11 males and 1 female).
Surinam.	
Burdwan	3 { 1 Hindu (Kaibarta). 2 Muhammadans.
24-Parganas	2 { 1 Hindu (Thakur). 1 Muhammadan.
Calcutta	1 Muhammadan.
Rangpur	1 Hindu (Kurmi).
Bakarganj	1 Hindu (Kamar).
Chittagong	1 Muhammadan.
Tippera	1 Muhammadan.
	10 (6 males and 4 females)
Total for 1912 ...	25 adults (20 males and 5 females); also one dependent child.

District of residence.	Number of emigrants and their religion and caste.

1913.

British Guiana.

Noakhali	1 Muhammadan.
	1 (male).

Trinidad.

Calcutta	1 Hindu (Kurmi)
Burdwan	1 Hindu (Kewat).
	2 (1 male and 1 female)

Fiji.

24-Parganas	1 Muhammadan.
Dacca	1 Muhammadan.
Faridpur	1 Muhammadan.
Midnapore	1 Muhammadan.
	4 (males).
Total for 1913 ...	7 adults (6 males and 1 female). No dependents.

1914.

Nil.

1915.

British Guiana.

Rangpur	1 Hindu (Ghatwal), male adult. No dependents.

1916.

British Guiana.

Midnapore	2 Hindus (Bhumij).
Burdwan	2 Hindus (Goala).
Hooghly	1 Hindu (Kaibarta).
	5 (4 males and 1 female).

District of residence.	Number of emigrants and their religion and caste.
Trinidad.	
Burdwan	2 Hindus { 1 Rajwar. 1 Bowri.
Bankura	3 Hindus { 1 Bowri. 2 Santals.
Birbhum	1 Hindu (Bagdi).
Midnapore	2 Hindus (Bhumij).
Hooghly	1 Muhammadan.
Nadia	1 Hindu (Goala).
24-Parganas	2 [1 Muhammadan and 1 Hindu (Kaista)].
Dacca	1 Muhammadan.
Noakhali	1 Hindu (Goala).
	14 (9 males and 5 females).
Jamaica.	
Midnapore	2 Hindus (Kaibarta).
Burdwan	4 Hindus (2 Bagdis and 2 Bowris).
Birbhum	1 Hindu (Bowri).
Bankura	1 Hindu (Santal).
	8 (5 males and 3 females).
Fiji.	
Burdwan	1 Hindu (Bowri).
Bankura	5 Hindus (1 Bowri, 2 Ghatwals and 2 Santals).
Birbhum	2 Hindus (Bowris).
	8 (3 males and 5 females).
Total for 1916 ...	35 adults (21 males and 14 females); also two dependent children.

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

* 3. Have the Government any information as to how many people of Bengal, of either sex, are now employed in the Fiji Islands under the system of indenture?

Answer by the Hon'ble MR. DONALD :—

"Government have no information."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

* 4. (*a*) Will the Government be pleased to state whether it is their intention to appoint a non-official as Chairman of any other District Boards besides that of Murshidabad?

Appointment of non-official Chairman to District Boards.

(*b*) What considerations, if any, govern the choice of the particular District Boards in connection with which the experiment is to be made?

Answer by the Hon'ble MR. DONALD :—

" (*a*) The Government have not under consideration at present a proposal to appoint a non-official as Chairman of any other District Board, and they are not in a position to make any statement regarding future intentions

(*b*) The presence in the district of Murshidabad of a gentleman under whom it was thought the experiment would have a fair chance of success, and who was willing to undertake the duties of Chairman, was one of the factors which led to the choice of this particular District Board "

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

* 5. Will the Government be pleased to explain why the expenditure for the inquiry in connection with diabetes has been shown under the head " Sanitation "; and further to indicate in this connection the circumstances that will determine what items of expenditure are to be shown under this new head?

Inquiry into diabetes.

Answer by the Hon'ble MR. DONALD :—

" A statement giving the detailed heads under the new major heads XX-A and 24-A—Medical, and XX-B and 24 B- Sanitation, is laid on the table Expenditure connected with medical research is included under the head " Grants for Sanitary Purposes."

Statement referred to by the Hon'ble MR. DONALD *to Question No. 5 (starred) asked by the Hon'ble* BABU BHABENDRA CHANDRA RAY *at the Council Meeting of the 3rd April, 1917.*

XX-A and 24-A—Medical.

Receipts	Expenditure.
Medical school and college fees.	Medical establishment.
Hospital receipts.	Hospitals and dispensaries.
Lunatic Asylum receipts.	Grants for medical purposes.
Medicines sold by Civil Surgeons.	Medical school and college.
Contributions.	Lunatic Asylum.
Miscellaneous.	X-Ray Institute.
	Chemical Examiner.
	Refunds.

XX-B and 24-B—Sanitation.

Receipts.	Expenditure.
Sanitation and Vaccination receipts.	Sanitation and Vaccination establishment.
	Grants for sanitary purposes.
	Expenses in connection with bubonic plague, malaria and epidemics.
	Bacteriological Laboratories and Pasteur Vaccine Institutes.
	Refunds.

UNSTARRED QUESTIONS.

(*Answers to which were laid on the table.*)

By the Hon'ble MAULVI ABUL KASEM :—

I. (*a*) Will the Government be pleased to state what measures they are taking to mitigate the effects of the floods of the Damodar and to protect the villages and areas of land lying on the right bank of the Damodar?

(*b*) Are the Government aware of the fact that breaches on the right bank of the Damodar, such as those at Kumirkhola, Nakra, Nooto, Birupur, Jamdaha and Srikrishtopur, have placed the country entirely at the mercy of the river and that a slight rise in the river during ordinary rains, floods the country and causes great damage to crops and cultivation?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) The Hon'ble Member is referred to the answer given to the Hon'ble Maulvi Mazharul Anwar Chaudhury at the meeting of 12th January, 1916. Government propose to take up the following works for mitigating the effects of the Damodar floods :—

(*i*) the retirement of the Baxi khal embankment at the Rupnarain end and the widening of the khal. The estimate for these works amounts to Rs 2,45,717; and

(*ii*) the construction of a short channel from Kharia on the Gaighatta khal to join with the Ghesapatty khal. The estimate for this work amounts to Rs. 1,50,645 Government have not under consideration any project for protecting the villages and areas of land lying on the right bank of the Damodar by protective or other embankments.

(*b*) Government are aware that breaches have taken place in the right bank of the Damodar at Kumirkhola, Nakra, Nooto, Birupur and Srikrishtopur. It is not correct to state that the country is thereby entirely placed at the mercy of the river in low floods, it is, however, in a measure the case at Kumirkhola, where a definite escape from the river has been formed by nature which it is not proposed to close. Government have no information on the subject of a breach at Jamdaha on the Damodar. Perhaps the Hon'ble Member is referring to the breach at Jamdaha in the Ajai embankment."

SUPPLEMENTARY QUESTIONS.

(Question No. I.)

The Hon'ble MAULVI ABUL KASEM asked :—

"Is it a fact that great damage was caused to crops and huts in villages on the right bank of the Damodar by the recent breaches in question?"

The Hon'ble MR. BEATSON BELL replied :—

"The damages done to the right bank of the Damodar have not been serious in recent years."

By the Hon'ble MAULVI ABUL KASEM :—

II. (*a*) Will the Government be pleased to state what measures they are taking to mitigate the effects of the floods of the Ajai and to protect the villages and areas of land lying between the rivers Ajai and Kunoor in thana Mangalkote of the Burdwan district and the land lying on the right bank of the Ajai in thana Ketugram and in the district of Birbhum? Floods of the Ajai.

(*b*) Are the Government aware of the fact that the breach on the bank of the Ajai at Chandkhali in thana Ketugram, district Burdwan, subjects a large number of villages to floods almost every year and that great damage is done to crops and villages?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) Investigations involving difficult problems of engineering are still going on. Government are not yet in a position to state what measures they intend to take to mitigate the effects of floods of the Ajai in the thanas of Mangalkote and Ketugram in the districts of Burdwan and Birbhum

(*b*) Government are aware that a certain area in thana Ketugram was flooded in 1916 by the Ajai river, but it is an exaggeration to say that a large number of villages suffer great damage almost every year"

By the Hon'ble MAULVI ABUL KASEM :—

III. Will the Government be pleased to lay on the table the report of the inquiry made by the Superintending Engineer as to the extent of the damage caused by the floods of the Ajai and Kunoor rivers? Damage caused by the floods of the Ajai and Kunoor

Answer by the Hon'ble MR. COWLEY :—

"A printed copy of the report will shortly be supplied to the Hon'ble Member and another copy will be laid on the table of the Library"

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

IV. (*a*) Will the Government be pleased to state whether the record of rights has been finally published in all the subdivisions of the district of Mymensingh? Record of rights in the district of Mymensingh.

(*b*) Is it a fact that in some places in Mymensingh—particularly Netrakona—the settlement map has not been published simultaneously with the rest of the records?

(*c*) If the answer to clause (*b*) be in the affirmative, will the Government be pleased to state whether the record-of-rights is taken to have been finally published in these places, and will the period of limitation specified in section 105 (*1*) of the Bengal Tenancy Act begin to run before the publication of the map?

(*d*) Are the Government considering the desirability of postponing all further proceedings in these areas, including recovery of the settlement costs, pending the publication of the map?

Answer by the Hon'ble MR. KERR :—

" (*a*) No.

(*b*) Publication of the settlement map is not a process prescribed by la Printed copies of the settlement maps are ordinarily distributed at the time final publication. This has not been found possible in some parts of Myme singh district because the maps were not ready in time.

(*c*) The final publication of the record-of-rights under section 103 A the Bengal Tenancy Act is independent of the distribution of printed maps a the period of limitation specified in section 105 (*1*) is not affected by the da of distribution of maps.

(*d*) No."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Construction of the Bheel Route canal.

V. (*a*) Will the Government be pleased to lay on the table a stateme showing how some of the villages in the subdivision of Gopalganj in t district of Faridpur, bounded on the north by the river Kumar, on the sou and east by the Bheel Route canal and on the west by the river Madhuma have been affected by the construction of the Bheel Route canal, indicati specially—

(*i*) the present condition of the Balugram-Tetulia khal and i tributaries and their draining capacities;

(*ii*) the condition of the lands lying to the north and west of the can during the rainy season, and how they are drained;

(*iii*) whether some of the lands bordering on the western bank of t canal have been raised by the earth thrown up by the dredge and, if so, how the outlets for water from that side have be affected thereby;

(*iv*) how many sluice-gates have been constructed along the eastern ba of the canal, and who are in charge thereof;

(*v*) whether it is a fact that the said gates are not generally opened high-tide; and that as a consequence the entire tidal wat often flows over the lands lying to the west of the canal a submerges them?

(*b*) Are the Government considering the advisability of re-excavating t Balugram-Tetulia khal, from Tacker Hât up to the canal, and of providi drainage facilities for the lands on either side thereof?

(*c*) Are the Government aware of the opinion that has been express that if the said khal be made navigable, it will provide a short route from t Gopalganj subdivision to the District headquarters?

(*d*) What steps, if any, are the Government taking to improve the cond tion of the lands lying to the west of the canal as indicated in the foregoi questions?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) The villages in the area referred to by the Hon'ble Member ha not been adversely affected as a result of the construction of the Bheel Rou canal and connected works.

(*i*) Government have no particular information regarding the Balugran Tetulia khal. Generally the khals to the north and west of the Bheel Rou have not been affected in any way.

Answer by the Hon'ble Mr. Cowley—*contd.*

(*ii*) The condition of the lands lying to the north and west of the Bheel Route have not been affected by the construction of the Bheel Route and connected works, as is proved by the following levels of water in the bheel In 1906, *i.e.*, before the high embankment on the south side of the Bheel Route was constructed, the water levels recorded were as follows :—

Date—31st August 1906.

W.L. at Tacker Hât	96·75 R.L.
W.L. at Haridaspur	93·60 R.L.

In 1915, when only one khal, viz., the Pachar khal, had been closed by the embankment, the water levels recorded were

Date—14th September 1915

W.L. at Tacker Hât	95·85
W.L. at Haridaspur	93·75

In 1916, after construction of the sluices in the high embankment on the south of the Bheel Route and closing of the khals, except two, viz., Baniachur and Golabari khals, the water levels recorded were—

Date—22nd September 1916

W.L. at Tacker Hât	95·00 R.L.
W.L. at Haridaspur	92·82 R.L.

It may also be said that these levels in 1916 were temporarily high owing to the cyclonic storm which passed over this area at the time. The area referred to by the Hon'ble Member is ordinarily drained by the following outlets :—

The Lower Kumar river.

Khalia khal.

Seindia khal.

Baniachur khal (now open, will probably be sluiced).

Masonry escape—

16th mile, Bheel Route.

14th mile, Bheel Route.

10th mile, Bheel Route.

9th mile, Bheel Route, at Salpai

8th mile, Bheel Route, at Dollali.

7th mile, Bheel Route.

5th mile, Bheel Route, at Kangsur.

Answer by the Hon'ble MR. COWLEY—*concld.*

4th mile, Bheel Route, at Olpur.

Under construction near Gopalganj (the khal was closed la year).

Golabari khal at Gopalganj.

Manikdah channel to river Madhumati.

(*iii*) A small area opposite Haridaspur was raised with sludge discharg from the dredger. The drainage of this area has to some extent bee blocked temporarily. The khal leading into the Baderkhagail khal wi shortly be re-excavated.

(*iv*) The following sluices or escapes have been constructed in tl embankment on the south of the Bheel Route :—

(*a*) Four masonry escapes in miles 7, 10, 14 and 16.

(*b*) Four sluices in miles 4, 5, 8 and 9.

(*c*) One sluice under construction at Mussulmanpara, near Gopalgan

(*d*) Two more sluices are proposed in the 14th mile at Bherandabai and in the 17th mile at Baniachur.

These are all in charge of officers of the Public Works Department.

(*v*) The tidal influence is not operative except in the dry season, whe the sluices are kept open. As high tide levels do not rise above the genera ground level, the area to the west of the Bheel Route is not affected by th tides.

(*b*) No.

(*c*) No.

(*d*) No steps are under consideration. The condition of the lands i the north-west bheel has not been adversely affected by the construction c the Bheel Route and its connected works."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Embankments in Bengal.

VI. (*a*) Will the Government be pleased to make a statement showing district by district,—

(*i*) the total length of embankments, and how much of it is private owned;

(*ii*) what proportion of the public and private embankments, respec ively, in each district is kept in repairs regularly?

Answer by the Hon'ble MR. COWLEY :—

" A statement showing, district by district, the embankments maintaine by the officers of Government is attached.

These embankments are public embankments. Government have n statistics of the length of private embankments maintained by privat owners."

Answer by the Hon'ble MR. COWLEY—*concld.*

Statement referred to by the Hon'ble MR. COWLEY *in his Answer to Question No. VI (unstarred) asked by the Hon'ble* BABU BHABENDRA CHANDRA RAY *at the Council Meeting of the 3rd April, 1917, showing length of embankments in Bengal.*

NAME OF DISTRICTS.	Schedule D and other Government embankments.		Embankments maintained under contract with zamindar.		Embankments maintained by annual apportionment of charges		Total length	
	Class B.		Class C.		Class D.			
	M.	ft.	M.	ft.	M.	ft.	M.	ft.
Rangpur ...	0	1,515	...		...		0	1,515
Malda ...	4	3,361	...		...		4	3,361
Bogra ...	0	1,458	...		...		0	1,458
Rajshahi ...	7	0	...		...		7	0
Pabna ...	1	2,640	...		..		1	2,640
Faridpur ...	0	4,291	...		...		0	4,291
Pakarganj ...	0	3,850	...		...		0	3,850*
24-Parganas ...	205	4,444	...		8	3,080	214	2,244
Burdwan ...	82	1,100	...		...		82	1,100
Birbhum ...	3	1,320	...		...		3	1,320
Hooghly ...	164	3,389	...		13	4,840	178	2,949
Midnapore ...	544	4,397	242	4,334	1	2,775	789	946
Murshidabad ...	85·4,622 miles		...		...		85·4,622 miles.	
Nadia ...	0·5,220 ,,		...		...		0·5,220 ,,	
Total ...	1,101	85	242	4,334	24	1,35	1,367	4,554
							Say 1,368 miles.	

* Of this 2,375 feet is maintained by the District Board.

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

VII. Were any proceedings initiated under the Embankments Act for better control of private embankments in any locality during the last five years? If so, where, when, and with what results? Better control of private embankments.

Answer by the Hon'ble MR. COWLEY :—

" Proceedings in two cases of this nature have been instituted within the last five years.

(*1*) By Notification No. 7398 L.R., dated the 3rd August, 1914, it was ordered that the private embankment called the Rajyadharpur embankment in the Kandi subdivision of the district of Murshidabad would be taken charge of and maintained by the officers of Government. This notification was subsequently cancelled in May, 1915.

Answer by the Hon'ble MR. COWLEY—*concld.*

(2) By Notification No. 2351 L.R., dated the 4th March, 1916, it w ordered that the private embankment called the Masagram and Deh embankment in pargana Khandar, thana Sabong, in the district of Midnapu be taken charge of and maintained by the officers of Government under t provisions of Bengal Act II of 1882. This embankment is now being mai tained by the officers of Government under the provisions of the said Act."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Maintenance of private embankments.

VIII. (*a*) Is it usual for District Boards or Government, in any circu stances, to contribute towards the maintenance of private embankments which the provisions of the Embankments Act have not been applied?

(*b*) If so, on what terms is such contribution made and how are the ter enforced?

(*c*) If the answer to clause (*a*) be in the affirmative, will the Governme be pleased to state the total amount of such contributions during the last fi years?

Answer by the Hon'ble MR. COWLEY :—

"It is not usual for District Boards or Government to contribute towar the maintenance of private embankments."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Partition of the district of Mymensingh.

IX. (*a*) With reference to the scheme for the partition of the district Mymensingh, are the Government in a position to state the areas a boundaries of the proposed districts and subdivisions thereunder?

(*b*) Is any rearrangement of the Divisional jurisdiction contemplated consequence of the said partition? If so, when is such rearrangement like to be carried out?

Answer by the Hon'ble MR. KERR :—

"(*a*) A copy of Resolution No. 6287 P. of the 27th May, 1915, in whic the areas and boundaries of the proposed districts and subdivisions are state is laid on the table. Since publishing the Resolution Government have, on t advice of members of the public and local officers, accepted the following min modifications :—

(*i*) the inclusion in the Western District, instead of in the Centr District, of the northern portion of police-station Nalitabari;

(*ii*) the inclusion in the Western District, instead of in the Centr District, of 61 *mauzas* in the Madhupur jungle; and

(*iii*) the inclusion in the Sadar subdivision, instead of in the Bhaira subdivision, of the South-Eastern District of so much of polic station Badla as will fall within the new police-stations Tara and Karimganj.

Government are unable at present to give exact figures for the areas affecte by these modifications.

(*b*) Government have under consideration the establishment of a ne division with headquarters at Barisal, in order to relieve the Commissioner Dacca of part of his present charge. They are not in a position to state whe the rearrangement is likely to be carried out."

Copy of Resolution referred to in the Answer by the Hon'ble MR. KERR *to Question No. IX (unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council Meeting of the 3rd April, 1917.*

CALCUTTA, THE 27TH MAY, 1915.

RESOLUTION—No. 6287 P.

READ—

Resolution by the Government of Bengal, Political Department, No. 1346 P., dated the 8th July 1912.

READ ALSO—

The Report of the Bengal District Administration Committee, 1913-14.

THE question of the administration of the district of Mymensingh has been before Government since the year 1876 and the problem of dividing it into manageable charges has become continually more urgent. The state of the case as it stood in 1912 was set out in the Resolution quoted above. It was proposed to establish a new district, consisting of the existing subdivisions of Jamalpur and Tangail, with headquarters probably at Jamalpur. It was suggested that the remainder of the district might remain as one district, the creation of a third district being left to the future. Opinions were invited on this proposal. The matter was subsequently considered at a conference held at Mymensingh on the 24th July 1912. All parties at the conference agreed that some method of strengthening the administration of the district was absolutely necessary. A section of the educated Hindu community was, however, still opposed to any partition of the district, and was prepared to acquiesce in a scheme for the duplication of officers and the creation of more subdivisions. There was a consensus of opinion in favour of the extension of railway communications throughout the district; and many thought that the partition of the district might be deferred until the new railways had been opened and their effect had been observed. At a Durbar held at Dacca on the 28th July, 1913, His Excellency the Governor made the announcement that his Government had come to the conclusion that in the public interests the partition of the district was necessary. He promised, however, that the public would again be consulted before a definite scheme was ultimately adopted.

2. The question has been further considered by the Bengal District Administration Committee, who are of opinion that the best possible scheme would be the division of the existing district into three, *viz.*, (1) a south-eastern or Kishorganj district, (2) a western or Gopalpur district and (3) a central and north-eastern district, with its headquarters at Mymensingh. The Committee propose that the Kishorganj district should be a compact area bounded by the Brahmaputra and the Meghna rivers on the east, south and west, with an area of 1,630 square miles and a population of 1,366,407,

Answer by the Hon'ble MR. KERR—*contd.*

its headquarters being at Kishorganj. This proposed district would cons of three subdivisions, which are detailed below :—

Proposed Kishorganj district.

SUBDIVISION.	Police-station.	Population.	Area in square miles.
Sadar ...	Kishorganj ...	190,604	224
	Kathiari	178,430	173
	Total ...	369,034	397
Bhairab ...	Bhairab	53,513	70
	Bajitpur	155,645	220
	Astogram	97,897	130
	Badla	146,630	168
	Khaliajuri	39,763	61
	Total ...	493,448	649
Iswarganj ...	Iswarganj	195,786	204
	Kendua	175,868	267
	Nandail	132,271	113
	Total ...	503,925	584
	District Total (10) ...	1,366,407	1,630

After a careful examination of the relative merits of different si for the headquarters of the three subdivisions in the district, the Commit recommend Kishorganj as the headquarters of the Sadar subdivision, a Bhairab and Iswarganj as the headquarters of the subdivisions of th names. The town of Bhairab, though not centrally situated, is considered them to be more suitable than either Bajitpur or Nikhli, because the natu lines of communication converge on it. It is a steamer station and may s become a railway terminus also. It is considered to be healthy and is t most important trade centre in the area.

3. The proposed new Mymensingh district, with an area of 2,610 squ miles and a population of 1,421,490, would still be large. It would include th

Answer by the Hon'ble MR. KERR—*contd.*

subdivisions, *viz.*, (1) North Mymensingh or Phulpur, (2) South Mymensingh or Sadar and (3) Netrakona, as detailed below :—

Proposed Mymensingh district.

SUBDIVISION.	Police-station	Population	Area in square miles
North Mymensingh or Phulpur.	Phulpur	215,129	231
	Haluaghat		167
	Nalitabari	124,553	285
	North Kotwali (approximate).	50,000	40
	Total ...	389,682	723
South Mymensingh or Sadar.	South Kotwali (approximate).	175,337	102
	Trisal		194
	Muktagacha ...	96,407	141
	Phulbaria	130,631	187
	Gafargaon	189,769	160
	Bhaluka		283
	Total ...	592,144	1,067
Netrakona ...	Netrakona	189,857	259
	Durgapur and Kalamakanda.	127,035	382
	Barhatta	122,772	179
	Total ...	439,664	820
	District Total (14) ...	1,421,490	2,610

The Committee think that the headquarters of the first two subdivisions may for the present both remain at Mymensingh, while Netrakona might be the headquarters of the new subdivision of that name.

4. The remaining portion of the existing district, consisting of its entire western side, would form the third proposed district. It would comprise the whole of the present Tangail and Jamalpur subdivisions, excluding the Nalitabari police-station. In selecting a site for the headquarters of this district, the Committee have carefully considered the relative claims of the towns of Tangail and Jamalpur. While the Tangail subdivision is the heavier and more important of the two, the town of Tangail is very unhealthy.

Answer by the Hon'ble MR. KERR—*contd.*

If either Tangail or Jamalpur is chosen, the headquarters would be at one er of the district, and new subdivisional headquarters would be required addition to the district headquarters. The Committee are therefore incline to the suggestion that the headquarters should be located in the centre the district within the jurisdiction of the Gopalpur police-station at a healtl place near the junction of the proposed railways from Jamalpur to Tanga and from Subarnakhali to Mymensingh. The exact situation of this plac might be determined when the final alignment of these railway lines is settle If, however, the choice is confined to the towns of Jamalpur and Tangail, tl Committee unhesitatingly prefer the former. Meanwhile this proposed ne district may be styled by the name of Gopalpur.

5. The third district would consist of three subdivisions. The norther part would form the Jamalpur subdivision with headquarters at Jamalpur. tl central portion would be included in the Sadar subdivision, while the souther portion would constitute the new Tangail subdivision, as detailed below :—

Proposed Gopalpur district.

Subdivision.	Police-station.	Population.	Area in square miles.
Sadar ...	Sarisabari	79,905	113
	Gopalpur	218,232	273
	Kalihati	160,982	144
	Ghatail	95,196	85
	Total ...	554,315	615
Jamalpur ...	Jamalpur and Melandaha.	255,859	315
	Sherpur	179,658	268
	Dewanganj ...	177,553	262
	Madarganj	75,683	103
	Total ...	688,753	948
Tangail ...	Tangail	268,305	137
	Basail		94
	Mirzapur	108,781	100
	Nagarpur	118,371	115
	Total ...	495,457	446
	District Total (13) ..	1,738,525	2,009

Answer by the Hon'ble Mr. Kerr—*concld.*

6. The Governor in Council has reconsidered the whole question with great care. He has been much impressed by the arguments of the Committee regarding the urgent necessity of reorganizing the village systems throughout the province with the object of bringing the officers of Government into closer touch with the people. His Excellency in Council is persuaded that in no place is this reform more essential than in the existing district of Mymensingh, and he concurs in the fullest degree in the opinion expressed by the Committee that the reform of the village system has no real chance of success, unless not only the districts but also the subdivisions are of a manageable size. In other words, he has come to the conclusion that the proposal of 1912, as also the earlier proposal for the creation of two districts with joint headquarters at Mymensingh, would be an inadequate solution of the main problem, and would hamper the establishment of closer and more friendly relations between the rulers and the people. The Committee propose that the district of Mymensingh should be divided into three, and that at the same time the number of subdivisions should be raised from five to nine, three within each of the new districts. The general lines of division as indicated by the Committee commend themselves to His Excellency in Council, who desires, however, to give the public an opportunity of expressing their views on the scheme before it is further proceeded with.

7. In this connection mention may be made of the several schemes of railway extension which have been approved or are under contemplation, and which will increase the facilities of communication within the proposed districts. The construction, by private enterprise, of a line from Bhairab Bazar in the south of the proposed Kishorganj district, through Kishorganj and Iswarganj to Mymensingh, with a branch from Gauripur to Bagmara in the north of Netrakona subdivision, and another from Shamganj to Netrakona, has been approved. This line will traverse the new district of Kishorganj from north to south, and the headquarters of the proposed district, as well as of the two proposed subdivisions, *viz.*, Iswarganj and Bhairab, will be directly on the line. The branch lines will link up Netrakona and the north of that subdivision with Mymensingh. On the western side of the existing district, the Railway Board have sanctioned a detailed survey, by the agency of the Eastern Bengal Railway Administration, for a metre gauge line of railway from Mymensingh to Tangail, with an extension to Porabari or Elashin; orders have also been issued for a reconnaissance survey of the area between the Jagannathganj-Mymensingh-Dacca Railway and the Brahmaputra river with a view to framing proposals for railway construction. This area includes a large part of the proposed Gopalpur district.

8. This review of the case is published with the object of enabling public associations and private persons interested in the scheme to formulate such criticisms as will lead to the best possible solution of the problem, and His Excellency in Council will be glad to consider any expressions of opinion which may be communicated to him. All suggestions should be submitted within three months of the publication of this Resolution.

Order.—Ordered that this Resolution be published in the *Calcutta Gazette* and that it be forwarded to the Commissioner of the Dacca Division, with the request that copies, both in English and in the vernacular, may be widely circulated within the Mymensingh district.

By order of the Governor in Council,

J. H. KERR,

Offg. Chief Secy. to the Govt. of Bengal.

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Deposit of rents under the Bengal Tenancy Act.

X. With reference to my starred question No. 3 of 13th March, 191 regarding the deposit of rents by tenants under section 61 of the Beng Tenancy Act, are the Government considering the desirability of prescribi such returns as may be necessary for showing—

(*i*) the amounts deposited and withdrawn, respectively, by tenants; ar

(*ii*) the amounts credited to the Government?

Answer by the Hon'ble MR. KERR :—

" The answer is in the negative."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Landlords' fees under the Bengal Tenancy Act.

XI. With reference to the tabular statement laid on the table answer to my starred question No. 1 of 13th March, 1917, will the Governme be pleased to explain how the difference between the amounts deposited landlords' fees and the amounts accepted by the landlords stand at present far as the Dacca, Rajshahi and Chittagong Divisions are concerned?

Answer by the Hon'ble MR. KERR :—

" The residue of the sum deposited as landlords' fees in the Dac Rajshahi and Chittagong Divisions, after deduction of the amounts accept by landlords, stands in the accounts as follows :- Deposits not exceeding o rupee have been credited to Government as lapsed deposits after remaini unclaimed for one whole account year; deposits exceeding one rupee have be credited to Government as lapsed deposits after remaining unclaimed f three whole account years; the remaining deposits are still in Revenue depo as landlords' fees."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Causes of excessive mortality in certain areas.

XII. Are the Government considering the desirability of instituting inquiry into the causes of excessive mortality in areas in which the death-ra exceeds the average death-rate of the Province with special reference to gene sanitary conditions, existing facilities for water-supply and medical aid?

Answer by the Hon'ble MR. DONALD :—

" The answer is in the negative."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Utilization of the grant to the Indian Research Association.

XIII. Will the Government be pleased to explain the manner in whi the Indian Research Association grant of Rs. 30,600 has been utilised f testing vital statistics?

Answer by the Hon'ble MR. DONALD :—

" The grant of Rs. 30,600 has not yet been utilized. Up to the prese only Rs. 800 have been allotted and Rs. 6,250 are provided in the budg estimate for 1917-18. The experiment will extend over five years and will

Answer by the Hon'ble MR. DONALD—*concld.*

carried out in three selected areas in the district of Murshidabad. A Sub-Assistant Surgeon will be placed in charge in each of these areas and it will be his duty to go to each village at definite intervals to visit the houses in which births or deaths have occurred, to verify them, and, in the case of deaths, to ascertain, as far as possible, by careful inquiry, the actual causes of mortality. When the lists have been verified by him, the register of births and deaths will be duly written up and a monthly statement forwarded to a Deputy Sanitary Commissioner who will be in charge of the operations."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XIV. (*a*) Will the Government be pleased to lay on the table a statement showing, district by district, the total amount of cesses realised and the amount of enhancement made during the last five years? Enhancement of cesses.

(*b*) To what circumstances, generally, are such enhancements due?

(*c*) On what principle has the revaluation of cesses been made in those parts of the Presidency in which settlement operations have been completed?

Answer by the Hon'ble MR. DONALD :—

"(*a*) A statement is laid on the table.

(*b*) Enhancements are due to new valuations, revaluations and the annual assessment of mines.

(*c*) Revaluations have been made in accordance with the Cess Act."

Statement referred to by the Hon'ble MR. DONALD *in his Answer to Question No. XIV (unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council Meeting of the 3rd April, 1917, showing, district by district, the total amount of cesses realised and the amount of enhancement made in the cesses during the last five years.*

DISTRICT.	Total amount of cesses realised during the last five years (1911-12 to 1915-16)	Amount of enhancement made in the cesses during the last five years (1911-12 to 1915-16)
	Rs.	Rs.
Burdwan	33,94,969	4,670
Birbhum	7,80,334	5,218
Bankura	5,03,082	60
Midnapore	20,33,110	6,864
Hooghly	11,58,121	.....
24-Parganas	19,69,439	1,15,257
Nadia	9,03,166	10,416
Murshidabad	9,21,073	.....
Jessore	10,86,927	21,485
Khulna	11,91,760	.....
Dacca	12,28,847	28,982
Mymensingh	25,25,180	.....
Faridpur	8,89,386	84,135
Bakarganj	24,03,765	.....
Chittagong	12,93,353	2,412
Noakhali	10,31,714	.....
Tippera	13,45,844	11,911
Rajshahi	10,54,474	.....
Dinajpur	10,89,110	27,563
Jalpaiguri	8,83,496	56,896
Rangpur	18,34,943	12,664
Pogra	6,39,450	10,369
Pabna	7,88,082	8,226
Malda	5,41,526	20,997
Darjeeling	2,65,155	5,922
Total ...	3,17,59,306	4,54,011

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Expenditure on Dacca University Scheme.

XV. Will the Government be pleased to state what is the total amou credited to the proposed Dacca University and how much of it has been spe up to date, and for what purposes ?

Answer by the Hon'ble MR. HORNELL :—

"Two statements are laid on the table."

Statements referred to in the Answer by the Hon'ble MR. HORNELL *to Quest No. XV (unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR R CHAUDHURI *at the Council Meeting of the 3rd April, 1917.*

STATEMENT I—RECEIPTS.

THE DACCA UNIVERSITY FUNDS.

A—Non-recurring.

	Rs.
Amount set apart from grants made by the Government of India to the Government of Eastern Bengal and Assam to meet the cost of a Muhammadan Hall at Dacca.	1,50,000
Balance of a grant of 10 lakhs sanctioned by the Government of India.	2,50,000*
Capital grant sanctioned by the Government of India ...	15,00,000
Grant of 1 lakh sanctioned by the Government of India for 5 years from 1914-15.	5,00,000

B—Recurring.

	Rs.
Annual grant sanctioned by the Government of India from 1912-13.	45,000
Annual grant sanctioned by the Government of India from 1913-14.	5,00,000

STATEMENT II.

EXPENDITURE.

The Dacca University.

Objects	EXPENDITURE.											
	1912-13.			1913-14.			1914-15			1915-16			1916-17		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.
1. Pay, travelling allowance, &c., of Assistant Architect and Staff, &c.	.....			.....			7,541	8	6	8,488	3	1	7,256	10
2. Temporary staff for the Dacca University Division.	.....			.....			1,647	8	7	11,412	7	6	405	0
3. Book-case for the University Library (Kali Prasanna bequest).	.....			.....			.....			400	0	0	.....	
4. Manufacture of bricks	.....			.....			30,000	0	0	.....			.....	
5. Works (alterations to old Secretariat building, dining hall, laboratories playing fields, improvement of tanks new Secretariat, Secretariat bungalows, &c.).	.....			.....			1,16,664	0	0	4,63,427	0	0	16,832	14
6. Special Officers' deputation, travelling allowance and staff	515	12	10	451	9	9	862	5	8	965	12	0	1,456	10
7. Miscellaneous contingencies.	.....			.....			671	0	0	.....			155	5
Total ...	515	12	10	451	9	9	1,57,386	6	9	4,84,693	6	7	26,106	8
GRAND TOTAL ...							6,69,153	12	10					

* Out of this grant, 7½ lakhs were ear-marked for the Dacca (new) Training College.

LIST OF BUSINESS—ITEM No. 3.

DISCUSSION OF THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1917-18.

The PRESIDENT said :—

"We will now proceed with the Budget discussion. I would remind Hon'ble Members that the time fixed under rule 34(3) of the Financial Statement rules for speeches is 15 minutes for each Hon'ble Member."

The Hon'ble NAWAB BAHADUR OF MURSHIDABAD said :—

"MY LORD,—I do not propose to take up the time of the Hon'ble Members of this Council with any lengthy observations such as has been the practice at the end of the session. In fact, I do not think I need make more than the briefest reference to the general features of the Budget before us which present practically no grounds for controversy.

The present estimates indicate more plainly than ever the pressure of the disturbing war conditions prevailing all the world over and from which Bengal has not escaped. However, the most anxious part of the task of the Empire, involved in a desperate struggle, is now drawing to a close ; and the supreme moment has now indeed come when it will try to the utmost not only the best of our collective efforts but also individual sacrifices of personal conveniences and resources. The war loan has been ushered in not a moment too soon and I confidently hope that it will meet with the heartiest of support and with unprecedented success.

It is desirable that we should bear in mind the great financial difficulties to which we are now exposed. The Finance Member sets himself no easy task when so many matters of urgent necessity, of a domestic nature, persistently press upon his attention, but all such considerations have to be subordinated to a sterner necessity. So if we find that none but the routine and current works has been provided for with scrupulous care we ought perhaps not to expect much more.

It is gratifying to note that the opening balance of the year 1916-17 was better than the sanctioned estimate by over 20 lakhs and so also the revenue receipts by the not contemptible sum of forty-four and a half lakhs. In spite of the decrease under Transfers between the Imperial and the Provincial Revenues, the closing balance of the current year bids fair to be improved upon by about 66 lakhs.

With the exception of 'Excise' and 'Ports and Pilotage,' which together account for the decrease in revenue to the extent of 8 lakhs and 8 thousand, there have been commendable increases under all other revenue heads, the most remarkable being under the Income-tax owing to the unusually large profits earned by jute mills companies, and firms which came under the assessment in 1916-17. Pilotage suffered from the decrease in the number of vessels visiting the Calcutta port and excise from the general depressed economic condition consequent upon the war. We have yet to know whether we may regard the declining figures for excise as a test for the growing temperance of the people. It is so far clear that in this respect at least there has been no relaxation in the restriction imposed upon indiscriminate consumption.

The increase in the estimate of the closing balance of 1916-17 was partly due to the saving in the total charges. No one will resent the decrease on

The Hon'ble NAWAB BAHADUR OF MURSHIDABAD—*concld.*

the expenditure side, but further curtailment of expenditure in regard t education is greatly to be deplored. The saving under the head Law an Justice will be viewed with general satisfaction, though people may loo askance at the increase of the Police charges by a lakh and a half over th estimated limit.

In the Budget Estimates of 1917-18 the total estimated charges excee the income by nine lakhs and 21 thousand—a circumstance permitted by th Government of India on the express understanding that a beginning be ma l in reducing the size of some of the districts and that urgent measures be take up in connection with police reform.

We have good reason to believe that the creation of new districts wi prove the candour and foresight of Government as being always prepare to act on approved principles. Many allusions have been made to th old cry of the present inefficiency of the police. This depressed view c the Bengal Police in general seems to me unfounded; though, I fear, th standing reproach, which has not unoften been levelled against it, that dacoit is bad enough, but the subsequent police inquiry very much worse, will ye take some time to die out. One cannot say that the police have been treate with too indulgent a sympathy when the outlay therefor, though considerabl could not be regarded as sufficient for the department's requirements, for no only strengthening its force but for making it more attractive. There ar now good grounds for entertaining hopes that the civil population will b granted more licenses for use of arms and that the villagers will be traine in habits of self-defence and thus lighten the burden of the police to som extent.

'It has again been found impossible,' we read, 'to provide for th regrant of unspent balances of Imperial grants for Education, Sanitation an Discretionary grants, etc.' It may be many more years before Governmen find it convenient to sanction the full amount of these grants. I trust an hope, however, that, whenever an opportunity offers itself, Government will in a true spirit of equity, devote much more of their attention to those lon deferred schemes of education and sanitation which surely are public measure surpassed by no other in importance. The inadequacy of support give to these much-needed reforms makes it perfectly understandable why th people are not progressing onward but appear rather to be falling back al along the line.

The paramount need of developing our agricultural resources an industrial activities continue to be forced upon our thoughts. These project of vital interest to the country are languishing for want of funds. Unles true lines are laid down from now for facing these problems the position wil be more embarrassing in the future in the general competition that mus come with the conclusion of peace.

I venture to suggest for Your Excellency's consideration whether, on th termination of this great war, when we hope the peace of the world shal never be disturbed again, it would not be an act, as well of policy as o justice, to recognise in a more generous way and where circumstances rende it appropriate, in a more substantial manner than has yet been done, suc measures of public utility as have been kept in abeyance but upon whic largely depends the prospect of a prosperous and peaceful future."

The Hon'ble the MAHARAJADHIRAJA BAHADUR OF BURDWAN said :—

"My Lord,—Before making any reference to the Budget, I must crav Your Excellency's indulgence as on this full-dress Budget debate day we ar

The Hon'ble the MAHARAJADHIRAJA BAHADUR OF BURDWAN—*contd.*

allowed to discuss on many things, including probably the Man in the Moon of my Hon'ble friend Maulvi Fazl-ul-Haq. Before coming to the Budget proper, I want to bring to the notice of this Council something in connection with the Finance Committee. When the other day the discussion took place here on the different resolutions relating to the Budget, there were certain members of the Finance Committee who complained of not having been able to put forward their claims in the Committee when the Budget was being discussed there. I fully sympathise with these members because I have myself served on the Finance Committee for several years and I gave it up as a more or less hopeless job. The point that I want to press on this subject to-day is that the Financial Department generally brings forward certain crystallized schemes before the members of the Finance Committee and tells them to pass them. I think that in all fairness to the non-official members of this Council who happen to be appointed on the Finance Committee, it is desirous that these gentlemen should be given an opportunity to bring forward certain schemes of their own in the Finance Committee. If this were done, a good deal of such unnecessary and heated discussion that took place the other day in the Council over the Budget resolutions could, I am sure, be avoided in the future.

Turning now to the resolutions—shoals of them—that were brought in the Council the other day and took two whole days in debating—I think that Your Excellency ought to be pleased to look into the present rules regarding these discussions. We had the other day the question of the expenditure on the Police brought up more than once; and it was so, not that the members themselves wanted to do it, but because the rules are such that any member who desires to allocate a certain sum must point out a certain specific figure to enable him to bring in a discussion. This question of the Police was brought up more than once, even though the Government declared on the very first resolution that the money could not be spent. After that declaration any business man would have said that the resolutions ought to be dropped. But it was not possible to do so because the resolutions were all different and all raised specific academic discussions. We want academic discussions, but for the sake of the dignity of the Council we should avoid acrimonious discussions when the Government once say that money cannot be spared.

Turning to the Budget itself, it is a well-known fact that no real congratulation can be offered to a Provincial Government on a provincial Budget so long as the leading strings are in the hands of the Government of India and the province has to depend on the bounty of the Government of India on certain matters. Nevertheless I congratulate my Hon'ble friend Mr. Beatson Bell on the War Budget and I hope that he and his successors in turn will be able to find money without casting a greedy eye on the millions of pounds which, according to him, the zamindars are supposed to deprive the Government of India of owing to the permanent settlement.

Turning now, Sir, to the items in the Budget, I have to thank the Government for the provision made to carry on certain projects for mitigating the effects of the floods of the Damodar, Ajai and certain other rivers, and I certainly hope that a start in the direction of preventing these floods will be made and that the Government about this time next year won't come forward with the plea that no specific scheme was put forward before them and hence the money could not be utilized. Those who know the sufferings from the floods of the Damodar and Ajai will, I am sure, bear testimony to the great havoc caused by these floods.

Turning now to page 24 of the Budget, I find that the expenses incurred by the Government to pay fees and passage money to Professor Geddes

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have been provided for in this Budget. I was present at the series of lectures given by Professor Geddes, but I do not profess to have followed him in all the technical things that he demonstrated before us. I think it was quite excellent that such lectures and demonstrations were given, but I hope that in future, if we have got to invite town-planners out in this country, the big Municipalities and my Hon'ble friend Mr. Goode with his two representatives of the Corporation will bear their expenses and that we should not be expected to meet such expenditure from our provincial Budget.

Turning now to the provision made for an additional grant to Miss Cloghorn for silk experiment and researches, I would like the Government to bring more prominently to the notice of the public the results of those experiments. As everyone knows, sericulture was more or less in a flourishing condition in past days in Bengal and silk industries, not only in Bankura and Birbhum, but everywhere, were to be found, and I think it is essential that we should know the results of those experiments being carried on at Alipore and what they propose to lead to. I am sure the public will be able to take a keener interest in this question if more information on this subject is available.

On the same page of the Budget, I find that a provision was originally made of a sum of Rs. 966 for some experiments in the Banka Valley in the district of Burdwan, but I do not know why that has been omitted in the revised Budget, in which I find, however, that a certain sum has been provided for for drainage in the Burdwan Municipality.

Turning to the general question of civil expenditure, I would like to point out to Your Excellency that in January last it was my intention to have brought a resolution in this Council regarding limiting of meetings of this Council to Calcutta. But for certain reasons I was unable to do so, and I put a number of questions in Council regarding the expenditure of the exodus from Calcutta. But before I come to that question, I would offer a word of explanation to my friends from Dacca and other places who thought that in bringing this question regarding the holding of meetings of the Legislative Council in Calcutta alone I was really driving my nail through the question of the Dacca residence of the Government. Nothing was further from my thought than this, for after all it is for the head of the executive of the province and his ministers to consider whether they should put in a considerable amount of time in any particular part of the province. But what my intention was and still is is that now that a new Presidency has been created, not only must we forget once for all the question of Eastern and Western Bengal and look upon Bengal as a whole, but also must most certainly decide to have the working machinery of the Government in Calcutta the whole year through. Whether His Excellency the Governor or his ministers should spend a considerable amount of time in any particular part of the Presidency does not concern us. What I think, Sir, is that if we are to get ahead of Bombay and Madras in the way of Presidency Government, we must begin by concentrating all our energies, so far as the central administration is concerned, in Calcutta itself. And this, in my opinion, is the best time to start, for Your Excellency knows better than anybody else that on account of this great war we have got to economise on all sides, and I think that the heads of departments and other officers who may be conveniently left in Calcutta all the year round should be made to remain here, and I am sure the Members and Secretaries of Government, 90 per cent. of whom have been in the districts and who know from experience that their brother officers have to grill in the heat in the summer months, will not mind themselves remaining in Calcutta. If for convenience and comfort the Easter holiday session and the Puja holiday session need to be lengthened, I would make the Easter session 15 days and

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he Puja session one month, and this, I believe, will not only be welcomed by he mufassal officers, but by Deputy Magistrates and other smaller officers as well. If by doing that we could facilitate the question of having offices n Calcutta all the year round and making Calcutta, for all practical purposes, he headquarters of the Government, I think a good deal would be gained.

I have no other observations to make, my Lord, but as probably our Vice-President the Hon'ble Mr. Lyon, will be here for the last time this ession, I beg to offer him our warmest thanks for his unfailing courtesy to s in Council."

he Hon'ble RAJA HRISHIKESH LAHA said :—

YOUR EXCELLENCY,

The Budget for 1917-18, which has been presented to the Council ears the impress of the time through which we are passing. The baneful fluence of the war is being felt in every direction, and improvements ave to be postponed by curtailing our expenditure as much as possible ith a view to meet any urgent necessity that might arise. Under the structions of the Government of India, the Budget has been prepared on e lines followed last year and provides for normal expenditure and new hemes which are of immediate and imperative necessity. The large unspent lance of the Imperial grants for education and sanitation has barely been uched, and I regret that only two and a half lakhs have been provided for nitary improvements against the recurring allotments of nine and a half khs for last year. Perhaps some further provision could have been made them out of the free balance of over sixty-nine lakhs which are available new expenditure. It is needless to say that malaria is one of the greatest urges of Bengal, and some scheme like the Moghrahat Drainage Scheme ould have been devised for the reclamation of marshy and water-logged alities. We only hope that Dr. Bentley's experimental anti-malarial hemes, the costs of which are included in the above two and a half lakhs, ll prove a success and be the means of mitigating the sufferings of the ople.

In his speech in introducing the Budget the Hon'ble the Finance mber has stated : 'It would be hard for the people of Jessore and Bankura at the boon of a record of rights should be again delayed to them. rtunately, the general financial situation of the survey and settlement erations is such that we have felt justified in resuming the work in Jessore d Bankura.' To speak the truth, these settlement operations are consi- ed very mixed blessings both by the zemindars and the tenants, as they volve them in very heavy expenditure which they can ill-afford to bear in ese hard times, and they would have been glad if these operations had been umed after the war. Now that the Government order has been passed, hope the recovery of costs will not be enforced very strictly, and some iency should be shown to those who are not able to pay up the whole nand all at once. I trust this matter will receive due consideration from vernment.

It appears to me that the item of eighty lakhs under the heading of Sale General Stamps is too optimistic. No doubt there was a boom in jute and l shares, but jute has dropped considerably, and what with restrictions transport facilities and what with super tax on income, the prospect is not all re-assuring. The current year no doubt shows a great increase in

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death duties, but what certainty is there that a greater number of rich people will die in the next financial year, so that a large amount may be forthcoming under this head to the coffers of the State? I hope on the contrary rich people will live to make contributions to the war loan and reflect credit on the fair name of Bengal, and pay super tax which is a quarter death.

"The amounts set apart for the re-organization of the Eastern Bengal Police and for construction of thana launches and floating thanas for the River Police are steps in the right direction. I should have been glad if a larger amount had been provided for these items, as they are absolutely necessary for the repression of dacoities which are of frequent occurrence in the Eastern districts, and vigorous measures ought to be taken to repress these crimes.

"The allotment of two lakhs and fifty thousand for projects for mitigating the effects of the floods of the Damodar, Ajai and other rivers will meet with the approbation of every one, as it will prevent the recurrence of the disaster experienced by thousands of people in the recent floods in the Burdwan Division."

The Hon'ble BABU SURENDRA NATH RAY said :—

"My Lord,—I am sorry I cannot give my full support to the Budget as laid before Your Excellency. The estimated expenditure for the year 1917-18 is Rs. 6,77,20,000, an excess of Rs. 59,23,000 over the Budget estimate and of Rs. 70,63,000 over the revised estimate of last year which includes very heavy items of new expenditure on Police, measures for suppression of political crimes, allowances to families of persons interned and on famine. With an increase in expenditure equal to 11 per cent. of the annual income in one year, people might well be excused if they think that the Finance Member has not exercised that amount of control over the spending departments which he should have done. After the outbreak of war, all proposals for the spread of primary and improvement of secondary education as well as for the improvement of sanitation and the supply of pure drinking water to the people in the Mofussil towns have been practically put a stop to. The non-official members of this Council who have always advocated their cause, have been exhorted not to embarrass the Government during the war by proposals which it is not possible to take up on account of lack of funds and when it is alleged Government were trying their utmost to economise in all directions possible. Funds expressly set apart for education and sanitary purposes were withheld. I am doubtful however, if Government can show that there has been any economy in any direction, except in the case of the Sanitation Budget. In marked contrast with this is the Police Department in which, during the war, expenditure has increased by 33 per cent. and during the last five years by 60 per cent. In fact the Budget has been characterised as the Police Budget. In the present year alone new schemes have been sanctioned, the ultimate cost of which amounts to Rs. 16,30,000 recurring and about 12 lakhs non-recurring. Of this amount 10 lakhs recurring and 8 lakhs non-recurring are to be expended in this year alone. This does not include the ordinary development of expenditure in the Police Department of which a separate list is given on pages 7, 8 and 9 of the Budget amounting to 1 lakh non-recurring and Rs. 77,000 recurring. The manner in which expenditure in the Police Department is increasing by leaps and bounds is a matter for serious consideration. Already it amounts to about 21 per cent. of the annual income. In 1912-13, it was less than 15 per cent. and unless the question of Police expenditure is seriously tackled now,

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all hope of any improvement in Sanitation or Education must be given up for ever. The Hon'ble Member in charge of the Police Department in introducing the Police Budget said that the increase in Police expenditure was approved unanimously by the Members of the Finance Committee who are supposed to carefully scrutinize every new item of expenditure. It may be pointed out, however, that some of the schemes had already been given effect to before Government thought it proper to lay them before the Finance Committee, while in many other cases the sanction of the Secretary of State had already been obtained and either partial effect had been given to them or final decision had been arrived at as to the date from which effect would be given. In other cases the proposals were thrust upon the Committee with the opinion that they involved the safety of the State or were absolutely necessary to prevent disorders or breaches of the peace, opinions which the non-official members were not in a position to controvert and were bound to accept if any reliance was to be placed on the executive Government. When proposals have already been carried into effect wholly or partially or have been sanctioned by the Secretary of State to be brought into effect from a certain date, it is useless and unfair to bring them again formally before the Finance Committee as new schemes. As at present constituted the Finance Committee is not in a position to scrutinize new schemes. We recognise that the needs of the Administration cannot be strictly limited to the Budget and that whether there is any provision or not for unforeseen contingencies the Executive Government will have to incur new expenditure. But this power of the Executive Government which no one wishes to take away should not be exercised for pushing on with and giving effect to schemes which on their very nature cannot certainly have been unforeseen or unexpected. I must at the same time also say that that there is a feeling that there are many schemes which are not at all brought before the Finance Committee at any stage. I should, therefore, like to have an assurance from the Hon'ble Member in charge of the Finance Department whether any such, if so, how many schemes have during the last three years been withheld from that Committee or have not been laid before it.

"My Lord, I must admit that whatever may be said against increasing the expenditure under the head "Police," if the Government think that such expenditure is necessary for the good administration of the country, we are bound to support the Government in such expenditure, for the people of this country will be the first to blame the Government if there is anything like disorder in the land. The public of Calcutta and the suburbs were in the greatest consternation when about a year ago there were a number of dacoities and anarchical outrages in the country. There were also a number of dacoities almost in every district of Bengal. It was the duty of Government to put down disorder and to take such steps as were necessary to restore confidence in the minds of the people. What I want to impress upon Government is that if it is necessary to spend more money on Police, do it, but Government ought also to take into consideration that to make the people educated and healthy, that is, to spend adequate sums on education and sanitation in which the people are vitally interested is also the primary duty of Government and tends to stop crime and disorder. While glancing over the pages of the Budget I find an increased grant of Rs. 25,000 as rewards to "informers." We are not told how much they are paid now. We find only the additional amount which is budgetted for payment. We may look with equanimity upon items of expenditure about the Criminal Intelligence Department, familiarly known as C. I. D. or the strengthening of the staff for the detection of crimes. It is evident that the services of informers are appreciated by the executive. But speaking as I do on behalf of the people I feel bound to say that we do not share in the Governmental

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appreciation. From the days of Judas to that of Rakhal Chander Laha they have been a most unholy lot and we cannot approve of this expenditure. The increase in expenditure is not only under the head "Police," but also under such heads as "Land Revenue," "General Administration," "Law and Justice," "Buildings, etc." This shows that at this time there is a plethora of money in Government hands We forget at least for the moment that war conditions have at all affected our financial resources. I am therefore unable to make out why my friend the Director of Public Instruction could not induce Government to set apart a larger amount for education. I am not sure whether it is due to his want of the power of persuasiveness as compared with that of the Inspector-General of Police or the want of matured schemes or is it due to the policy of Government favouring expenditure on Police at the expense of education and sanitation, In April 1915, the Director of Public Instruction said that as long ago as 1908 it had been estimated that it would cost from 15 to 16 lakhs of rupees to put secondary schools on anything approaching a satisfactory basis and that the number of schools had since then increased. Some scheme must have been then prepared for improving their condition, but no one outside the office of the Director of Public Instruction probably knows anything about this. In connection with the Budget of 1916-17 the Director of Public Instruction admitted that the condition of the schools had not improved as funds were not available and now in one single year the Police Department has got the sanction of Government to new schemes, costing Rs. 16 lakhs more a year recurring. The bread problem of the middle classes is becoming more acute day by day and the whole question of the secondary education is intimately bound up with it. It appears from the report of the Director of Public Instruction in Bengal for the year 1915-16 that the total expenditure on secondary schools for Indian boys for the year was Rs. 67,15,120, of which Rs. 6,61,160 came from Provincial Revenues and Rs. 8,30,328 from private sources, namely, endowments and contributions from private persons. It will be seen that while Government contributes about 9·5 per cent. of the total expenditure, about 12·5 per cent. is met from private contributions. If the cost of the purely Government schools be excluded, the percentage of cost borne by Government for secondary schools not under Government management becomes still less. I have not got with me the latest figures, but it appears that during the official year 1913-14 there were only 55 secondary schools under Government management, while 92 such schools were under local bodies, 1,443 schools under private management receiving aids from Government, and 880 schools under private management without receiving any aid from Government. It will thus be seen that the part hitherto taken by Government in the cause of secondary schools for boys has been a minor one. As regards primary education I shall only quote the following passage from the Director of Public Instruction's latest report on the subject: "What is imperatively needed especially in the Presidency and Burdwan Divisions is more schools of some stability. This can only be effected by much larger contributions from public funds. The pupils already contribute 56·3 per cent. of the funds. They cannot in fairness be asked to contribute more." I need not say anything more at this stage as to how urgent is the need for more funds for the improvement of education and how much it is necessary that all expenditure should be scrutinised carefully at the present time.

"My Lord, in my opinion considerable curtailment of expenditure is possible under the head of costs of General Administration if the exodus to Darjeeling twice during the year be discontinued. The saving would be about a lakh of rupees per annum. It is a matter on which it is natural that

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we should find the official members of this Council rather touchy, but it is well known that while formerly even the Hon'ble Members of the Board of Revenue were allowed to go up to Darjeeling only for a limited time and that as a special case, now every head of a Department manages to remain at Darjeeling during the whole time that Government remains there. While in the years 1889 and 1890 during the administration of Sir Stuart Bayley the cost amounted to Rs. 29,786 and Rs. 29,780 respectively, it was Rs. 96 568 in 1913 and Rs. 91,843 in 1915. But strange it was Rs. 68,719 in 1914 or nearly rupees thirty thousand less. The public would like to know the reasons for these variations. And if the biennial visits to Darjeeling be absolutely necessary for keeping the brains of Departments cool why cannot the lowest sum of Rs. 29,768 be maintained Again by the annual meeting known as the Conference of the Commissioners of Divisions and Heads of Departments, the Secretariat has managed to give a short holiday to other classes of officers who formerly had not the privilege to go up to the hills at the public expense. Now may I ask, is it necessary in the interests of administration that the Darjeeling trip should continue any longer. The three tours of the Government of Bengal, *viz.*, twice to Darjeeling and once to Dacca cannot but disorganise the administrative machinery and cause delay in the disposal of business. It had never been urged that Darjeeling is the workshop of the Government of Bengal as Simla is that of India. Lord Carmichael in his reply to the address of the Darjeeling Municipality on the 1st November last said: "I am afraid I cannot agree with those who profess to think that far more work is done in the hills than in the plains. In Bengal, at any rate, that is certainly not the case. When dealing with those files from which there is never escape I have often wished that Darjeeling were nearer Calcutta so that I might have got the information I needed quickly, but I was pleased to move for my own enjoyment and for the sake of my health. Though I know that if I had been in the plains I could have done more work. I know, too, that many of my friends, especially of those who seem to me to work hardest, think the same thing and I cannot see why we should not say so." The leading Anglo-Indian newspaper of Calcutta, the *Englishman*, said at the time "the annual migration was a waste of money." After the expression of opinion of Lord Carmichael it is too late to suggest the absolute necessity of going to Darjeeling with all the departmental heads, while the fact remains that the Hon'ble the Finance Member does not find it necessary to go up to the hills. I discussed the subject with some members of the European Mercantile community and all I can say is that there is only one opinion on the subject, *viz.*, that the exodus should be put a stop to at once. In January last I wanted to move a resolution in this Council on the subject not for putting a stop to it altogether, but I wanted that a Committee should be appointed to examine the whole question and how far the costs of migrations could be curtailed, but Government probably aware of the feeling in the matter disallowed any discussion on the subject. Another point which renders it highly desirable that the trip should be discontinued at the present time is the wastage of railway materials. On account of war conditions, the railways have been forced not only to curtail all passenger trains, but had also to put a stop to the free booking of all commodities with the result that the price of all kinds of necessaries are springing up by leaps and bounds. It is true that every cubic feet of space possible should be saved from being used unnecessarily. The annual trips to and fro take up a great portion of the carrying capacity of the railways not only on account of the officers of the Government who have to go to Darjeeling, but also for the large number of persons who have to deal with Government and Government officials. I would therefore appeal to Your Lordship to consider the matter seriously. When during the administration of Lord Northbrook there was famine in the country, Lord Northbrook stopped going to Simla. He remained in

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Calcutta with the then Lieutenant-Governor of Bengal, Sir George Campbell because he thought that he would be able to do better work in the plains than in the hills. When Your Lordship has cut down the expenditure in all luxuries I appeal to you to consider if it is not necessary to cut down all luxurious expenditure in the administration of the Presidency.

It is not too much to urge again the claim of sanitation and the supply of pure drinking water to larger allotments from the public funds. The principle that they have the first claim was accepted by the Government of Lord Carmichael, but it is the only head of the Budget which the Finance Member had clipped short. The following extract from the Administration Report for the year 1915-16 shows how the matter is being dealt with. "The usual provision of Rs. 9,50,000 was made during the year 1915-16 for sanitation, but in consequence of financial stringency a sum of Rs. 6,50,000 had to be surrendered to the third quarter of the financial year. Of the balance of Rs. 3,00,000 over one lakh was spent on sanitary works connected with the relief of distress in Bankura and Tippera." This shows how money expressly set apart for sanitation is being used for other purposes. There are some matured schemes for the supply of drinking water and for drainage, but on account of alleged want of funds they have not been taken in hand. I would mention only a few, the Chandpur water-supply, Krishnagore water-supply, Dacca water-supply improvement, Suri drainage, Kurseong drainage.

I am sorry that the resolution of my Hon'ble friend Maulvi Fazl-ul-Haq with regard to the increase of pay of the last grade of Munsiffs from Rs. 200 to Rs. 250 was not accepted by Government. Since I have entered this Council I have spoken on their behalf because I have some experience of their work. They are actually minting money for Government in the remotest parts of the country, for I have reason to believe that the non-official members who voted against the resolution have no idea how much money Government gets every day from every Munsiff's Court and how much work is being done by them. What is the argument advanced by the member in charge of the Judicial portfolio—my friend the Hon'ble Nawab. That the Public Services Commission have recommended that the initial pay of the Munsiffs should be Rs. 300, that the Government of India has called for a report from Your Lordship's Government and if the pay of the Munsiffs be now increased to Rs. 250, the Government of India will say that they are satisfied with this pay, what is the use of paying them Rs. 300. I am sorry to see my friend the Nawab Sahib reduced to such straits as to advance an argument such as this. I think the law of Estopped will not be applicable to this case."

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord,—We have reached the final stage of the Budget and in discussing it on this occasion under our rules, we are permitted to traverse much wider grounds than what we could do before. We are allowed to refer to important administrative issues arising out of the Budget, and I desire to take advantage of this opportunity to make some observations which have occurred to me in connection with the points mentioned in the Budget.

My Lord, the people in the Burdwan Division are deeply grateful to Your Excellency's Government for providing two lakhs and fifty thousand rupees for projects for mitigating the effects of the floods of the Damodar, the Ajai and other rivers. This was done, my Lord, in pursuance of a

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resolution moved by me at the first meeting of this session and accepted by the Government. I hope, my Lord, the money will not be spent on experiments and speculations and that the projects adopted will really protect the people and the villages mentioned in my resolution or at least mitigate the effects of the flood in those areas. I venture not to suggest any scheme as it may not be acceptable to the professional advisers of the Government and we are not at all concerned about the measures adopted, but what I would ask Your Excellency's Government is to see that the people are saved from the miseries caused by the floods almost every year and from starvation due to the destruction of crops. I desire to press on Your Excellency's Government that my object in moving the resolution and seeking for protection had no reference to abnormal floods, but the relief sought was from the damage caused by the normal floods to which the villages are subjected every year on account of the present condition of the rivers and the river banks. The projects to be adopted should be such as to protect the villages and the country from the recurring annual floods and whatever has to be done must be done at once.

The Budget usually speaking is not an object of interesting study to the general public, but the Budget often embodies policies and principles which stand out in striking pre-eminence from amidst the dry and dusty mass of figures and statistics. The most prominent feature of this year's Budget is the abnormal increase of expenditure on the Police. In 1912 the expenditure on the Police was 88 lakhs and five years after we find the recurring expenditure alone to be more than one crore and 12 lakhs, the new recurring expenses running up to more than ten lakhs of rupees. While I do not wish to overlook the admirable work that is often done by the Police, I cannot help remarking that the patronage extended to the department may often be a source of keen disappointment to the public in finding that the other branches of the Public Service are unnecessarily starved in order to meet the demands, reasonable or unreasonable, of the Police Department. Useful as the department is, officials are apt to be led away by their enthusiasm for this department to under-rate the importance of the other branches of the Public Service. One has only to run his eye over the Budget in order to find out how such important departments, like those of Education, Sanitation and Agriculture, have been allowed to shrink into insignificance by the side of the gigantic allotments made for the Police Department. It is only a truism that the efficiency of the Police force can never increase by the mere fact of increased expenditure on the Department, and people have a right to ask if the policy which inspires all this apparently extraordinary expenditure can at all be justified by the results achieved in improving the *morale* of the force or even the efficiency of the Department as an important branch of the Public Service.

"There is an impression, my Lord, that the Provincial Judicial Service does not receive that consideration at the hands of the Government which it certainly deserves. The Munsiffs and Subordinate Judges have to do much more important and responsible work than Deputy Magistrates and they have to do much more brain work of a superior character, but in the matter of pay and prospects they are not so well treated as the members of the Executive branch of the service. I submit, my Lord, that not only should the initial pay of the Munsiffs be raised, but the general prospects of the service should be such as to attract the most promising young members of the Bar. The Judicial Service should not be filled up by disappointed candidates for Deputy Magistrateships or those driven to seek service by want and necessity. The Judicial branch of the Provincial Service should be more attractive than the Executive branch. This principle is

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observed in the Indian Civil Service, where a District Judge gets higher pay than the Magistrate-Collector. Judicial officers in the Provincial Service should bear the same relation to Executive officers in regard to pay and prospects as that existing between the two branches of the Indian Civil Service.

I beg to draw Your Excellency's attention to another neglected branch of the Public Service, I mean the Subordinate Civil Service. Recruited from the same class of men as the Deputy Magistrates and with the same education, it is not fair that the Sub-Deputy Collectors should be so miserably paid or that they should have not much prospect in life to look forward to. I take the liberty to suggest, my Lord, that the initial pay of the Sub-Deputy Collectors should be raised to Rs. 150 and that the maximum should be raised to Rs. 400. The great difference now existing between the emoluments of the two branches of the Executive Service is to speak the least most unreasonable. I also submit, my Lord, that in the matter of promotion to the higher service they should be treated more liberally. The most acute grievance of the Sub-Deputy Collectors seems to be in the matter of travelling and halting allowances. This should be raised to enable them to live respectably. Sub-Deputy Collectors have to live and do live in the distant muffasil in practically the same style as Deputy Collectors and must do so, not only for their own sake, but also in order to maintain the prestige of the service to which they belong. The public, especially the rural public, do not make any distinction between a Sub-Deputy Collector and a Deputy Collector, and in the interest of administration and for its dignity there should not be any apparent distinction between these two branches of the Executive Service. It is sometimes argued that even the present pay and prospects in this branch of the service are sufficient to draw a large number of suitable candidates, but this is solely due to the general poverty of the people and the struggle for existence from which the middle classes in this country are seldom free. The poor Sub-Deputy Collector patiently bears his lot, but he would be more than human if he did not feel the inferior pay which he gets as compared with equally qualified men, doing almost the same work, who may be fortunate enough to get into the Provincial Service. This feeling of latent discontent is sure to hamper these officials in the discharge of their duties and it will not be strange if they succumb to temptation or corruption. At any rate this feeling of discontent must impair their efficiency. Nor can the present state of things be justified on the ground of economy. We find that extravagance rather than economy is the rule in the higher branches of the Public Service and I fail to see why the existing state of things can be allowed to continue in the face of almost universal condemnation.

We are thankful to the Government of India for the recurring grant of nine lakhs for improving the pay of teachers. This will go some way to improve the lot of poor schoolmasters, but much more is needed to make the profession of teaching attractive and for the advancement and spread of education on a sound basis. My Lord, there is a general complaint that the inspecting staff of the Education Department has been strengthened beyond all proportions. I do not wish it to be understood that I in any way underrate the value of supervision or inspection, but what I mean to say is that the number of inspecting officers have been unnecessarily increased and that the work can be as efficiently done with a much smaller staff if properly organised and controlled. The savings may be better spent in other directions for the improvement of education.

My Lord, I find that the University of Calcutta has been given more than 13 lakhs for hostels in Calcutta and out of that only two lakhs of rupees are to be spent on a Muhammadan Hostel. This is, I submit, neither adequate nor fair.

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The want of hostels for Muhammadan boys has been pressed before this Council on several occasions, and I do not wish to traverse the same grounds over again. I need only say that it is extremely unfortunate that, just when the Mussalmans have begun to apply themselves zealously to higher education on Western lines difficulties should be thrown in their way so as to retard their progress. The difficulties with which the students of the present day are confronted happen to be appalling enough, but in the case of Mussalman students these difficulties are magnified by various causes which do not exist in the case of the students of the other communities. The poverty of the Mussalman students has always been a stumbling block in their way and the increase in the cost of education which has been brought about with the recent rules and regulations of the University and the Education Department has proved an additional impediment in the furtherance of the cause of Mussalman education. Now more than ever the Mussalman students want and deserve special attention and assistance.

I beg to draw the attention of Your Excellency's Government to the want of hostels for Mussalmans at the centres of education outside Calcutta and Dacca, specially in the Burdwan and Presidency Divisions where the want is very keenly felt.

The Muhammadan community has for a long time felt and felt keenly the want of more Mussalman graduates in Engineering and Medicine and it is a pity that they have no means to provide proper opportunities and facilities for Mussalman boys in Medical and Engineering Colleges without Government aid and I appeal to Your Excellency's Government to come to our help and assistance. I take the liberty to suggest that some scholarships should be created for Mussalman boys in Engineering and Medical Colleges. This may be done out of the Mohsin fund and also from Provincial revenues. It will greatly help and encourage Mussalman boys and induce them to take to these professional studies.

I hope, my Lord, that advantage will be taken of the new imperial grant of nine lakhs to provide for adequate arrangements for teaching of Arabic and Persian in Secondary Schools and that in order to encourage the advancement of Muhammadan education, in fixing the amount of the grants-in-aid to be given to schools, some special considerations will be made for those institutions which provide facilities for Mussalman boys. This I say with special reference to schools in the Burdwan Division where the Muhammadan population is very small and the community comparatively poor, though very anxious to educate their children.

My Lord, I might say that the money spent for the advancement of education among the Mussalmans will not be a bad investment either for the Government or the country. As soon as the Mussalmans receive high education in larger numbers and are given their legitimate share in the various branches of the public service and are able to take their proper place in the public life of the Province, our demands for special facilities will cease and the Mussalmans will no longer be a handicap to the cause of Indian progress and advancement. They will be a tower of strength to the Government and the country alike.

The Department of Fishery which has now existed for some years and has been maintained at a considerable cost has not been of much benefit to the public at large. The experiment and researches made by the department have not produced any appreciable effect on fish culture in this Province. The department is neither useful nor ornamental. It has been given a fair trial and it has failed to justify its existence. The people

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may now rightly demand that it be abolished without any more money being spent, specially during these hard times, on futile experiments.

In conclusion, I beg to congratulate the Hon'ble Member in charge of our finances in having been successful in meeting the urgent demands of the Province with limited resources and in being able to curtail some of the unnecessary expenses. I wish he could lay his hands on some of the extravagant expenditure incurred in the higher branches of the Public Service, and in the matter of pay and allowances given to some of the special officers. Rightly and wrongly there is an impression amongst the public that these special appointments are created not because they are wanted for efficiency in the administration, but to find places with suitable emoluments for certain officials who cannot for the present be otherwise provided. In view of the war which, in the words of Your Excellency, is shaking the very foundations of civilisation, we are bound to observe the strictest economy in all matters. People will, out of loyalty and patriotism, gladly submit to all inconveniences which may be caused by observing economy. They, however, expect that the higher officials will set an example to them. I submit, my Lord, that a large saving can be effected if the higher officials temporarily give up the luxury of an excursion to the hills and the money better utilised to provide the sinews of war. The Government and the officials in England, I understand, are submitting themselves to all sorts of inconveniences and Your Excellency has set a noble example by declaring that you propose to curtail Government House expenses and I think it is not too much to ask the higher officials in this country to forego some comfort and luxury."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord,—At this Budget Debate one is naturally seized with an irresistible desire to acquaint the head of the administration with the wants, wishes and needs of the people, but it will serve no useful purpose at the present moment as Your Excellency cannot be expected to express any decided opinion till you have familiarised yourself with the details of the administration and the various problems connected with it. I must content myself with dwelling on some of the main points connected with the Budget for the present financial year.

"At the outset I submit for Your Excellency's consideration whether it would not be possible to grant us the privilege of having a standing Finance Committee re-elected every year before whom all schemes of recurring and non-recurring expenditure could be laid and discussed before being entered in the Budget. The Finance Committee, as at present constituted, is appointed in the middle of the year and meets once or twice towards the latter part of the year. All that it then does is to examine a schedule of new schemes estimated to cost more than Rs. 5,000 (rupees five thousand) and in one or two sittings the business is disposed of. No scope is afforded for fuller examination or even acquaintance of the Budget as a whole. What I suggest is that the standing Finance Committee should be the standing Advisory Committee at least for the present. They should meet every month or as often as required to consider all matters relating to the various items in the Budget, to watch the progress of expenditure on every scheme, to make recommendations for the transfer or appropriation from one head to the other according to the unspent amount left under the various heads of the Budget. In short the Council should be in close touch through its Finance Committee with the finances of the Province and the proceedings of the Finance Committee should be laid before the Council from time to time for information. If some such arrangement is not made to bring the Council in close touch with the

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administration, the result is that the Budget debate and the resolutions generally lead to an infructuous and uninformed discussion in which the non-official members are necessarily in a sad plight.

In the revised estimate of 1916-17 I find that Rs. 50,000 and Rs. 33,600 were received as contributions from the Indian Research Fund Association for financing Dr. Bentley's schemes of anti-malarial measures and for testing vital statistics respectively. In the first place may I inquire what is the constitution of the Indian Research Fund and how are its funds maintained ?

May I inquire what progress has been made of Dr. Bentley's scheme? What further step is proposed to be taken in connection with that scheme this year and what money is likely to be spent and in what area ? There is a saving of about Rs. 1,30,000 due to the postponement of the appointment of the Director of Industries and the withholding of grants for the development of industries, pending the report of the Industrial Commission. The Industrial Commission is not likely to finish their labours soon. It has suspended its deliberations for some time. Is it likely that the same result of inaction leaving an unexpended sum under the same head will ensue at the end of the current financial year ? Cannot the Government start the Department of Industries at once by appointing a well-qualified Director who will work out the preliminaries which may be followed and developed on the lines of the Commission ? Whatever may be the recommendations of the Commission I am sure it will be recognized that a capable Director of Industries is a *sine quâ non.*

A standing Finance Committee could no doubt go into many matters much more fully during the year than we could at a single sitting of Council and find out the cause of stagnation and of its remedy. Provision has been made for one Additional Secretary, two Additional Under-Secretaries and an Assistant Collector of Income-tax. May I inquire whether Indians have any chance of appointment to these posts ?

The Police expenditure has risen from Rs. 1,12,27,000 to Rs. 1,34,38,000. The increase is a very large one and I am sure the Government have fully considered the necessity for the expenditure before increasing the charges to such a large amount. The Budget includes the pay of the newly-created posts of Assistant Deputy Commissioners, four of whom are Indians and they get a salary ranging from four to five hundred. I acknowledge with gratitude the appreciation of the services of my countrymen as police officers. But I regret to say although they are honoured with the titles of Rai Sahebs and Rai Bahadurs, and promoted to some newly-created high-sounding posts, few of them are rewarded with a salary exceeding Rs. 500 a month. The Indians form the bulk of the police force in Bengal, and while from the Secretary of State downwards every member of Government is overflowing with praise of their devotion, zeal and unflinching loyalty at the risk of their own lives and of those of others whom they hold most dear, they are never destined to occupy any of the high and well-paid posts in the police service. At most a few of them can only aspire to be "Assistants" or "Deputies". As regards the reform of the Calcutta Police that popular official and our friend, Mr. Gourlay, was deputed to make inquiries and submit his report. I do not know what the report contains, but I feel bound to say that although there are some very excellent men in the Calcutta Police, both in its higher and subordinate ranks, yet corruption, oppression and *zulum* have not disappeared from some of the thanas which perhaps do not come to the

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notice of the Commissioner of Police. I am not at all speaking of political cases. As far as I have heard the officers who deal with those cases are most of them courteous, kind, considerate and free from temptations. Perhaps they are the pick of the service, but a considerable mixture of dross and alloy still exists in the local thanas and these are the men who deal with the middle class *bhadralokes* and whom the *bhadralokes* wish to shun.

Mr. Clarke, the Commissioner of Police, is a highly intelligent and capable officer and I believe he understands everything. I do not know whether he has got sufficient time to pay surprise visits to the thanas to pick up cases at random. I desire on behalf of my countrymen, resident in Calcutta and its vicinity, to heartily thank the Government for the vigorous action that was taken to cope with the new form of crime known as *Motor Dacoities* in Calcutta. There is no use disguising the fact that the situation as regards dacoities became so menacing that the ordinary *bhadralokes* who had something to care for at home became alarmed. Murder and dacoity followed in such quick succession that the confidence of the people in the police wavered, but thanks to Government law and order has been restored and the people can now live in peace and security. I devoutly hope the evils so fortunately checked will not return. In this connection I wish to say a few words about the internments. When public safety is in danger the segregation and restrainment of dangerous character is justifiable. I do not like the present method of disposal of the cases which I believe is capable of improvement by the appointment of an Advisory Board consisting of European and Indian Judges who may be permitted to examine the papers, give the accused an opportunity to explain and then advise the Government in each case. Public opinion will be largely reconciled if this step is taken. Let us co-operate with Government in this matter, but we must be all animated with a single-minded desire to help Government in stamping out the great evil which threatens the Indian more than the European. If Government take the people into confidence I am sure there will be no lack of co-operation.

A sum of Rs. 40,000 has been provided for the menials' quarters of Bethune College. A large area of land has been acquired on the south-west of Bethune College. It is necessary to improve the present site by isolating it from the surrounding houses. In connection with this college may I inquire whether it is under consideration to connect Bethune Row with Manicktola Street by giving up a strip of land to the Corporation from the old Simla Bazar premises for the purpose of a roadway and thereby to improve the sanitation and position of the entire premises.

I find that the provision for Primary Education for boys and girls yet remains very insignificant. The Hon'ble Mr. Hornell had in past years with his usual vigour and eloquence emphasised that he was fully alive to the necessity of providing popular education for boys and girls, but his assurances have not yet materialised. I believe I am correct in saying that of the total expenditure on Primary Education 43·7 per cent. is drawn from public funds, while 56·3 per cent. is derived from private sources. The school buildings or *pathsalas* are most wretched and ill-equipped and the teachers are ill-paid and ill-trained and I believe the Hon'ble Mr. Hornell will admit that the state of primary education in Bengal is such that it reflects no credit to Government. The great majority of girls' schools are equally wretched. What is urgently required is the provision for better buildings, well-paid mistresses and suitable quarters for them. These are the

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first needs, but God alone knows when these needs will be met. A special officer was appointed to report on the condition of Primary Education in Calcutta. He submitted his report some time back. The Corporation has also submitted its report, yet nothing tangible seems to be in sight. It was said three years ago and repeated this year that a survey is being made, but I am afraid the Government coach moves very slow. Another want of our community is zenana education. In East Bengal there is some provision for zenana education, but in West Bengal there is none. Female education may well be combined with industrial education and lace-making, needle-work and embroidery might very fitly be taught by peripatetic teachers in the homes of the *bhadroloke* class. Thus not only education but some sort of home-industry may be developed in every home which may enable the wives of middle class people to supplement the resources of their husbands and also, perhaps, widows to earn their livelihood within their *purdah.*

I should like to know why no provision has been made for the tropical school of medicine and hospital attached to it. Tuberculosis is rampant in our midst and I believe there was an idea of opening a separate hospital for the investigation of this disease. Can we have some information on the subject? My Lord, malaria is the great scourge of Bengal. Ever since 1870 the people of Bengal have been agitating for the removal of this scourge. The Government have from time to time instituted inquiries into the cause of malaria and its remedies. But nothing could be done to arrest this disease. This year's budget only provides Rs. 30,000 for Dr. Bentley's investigation.

As this is the last occasion on which we have the pleasure of meeting here the Hon'ble Mr. Lyon, the Vice-President of this Council, before he leaves the shores of India, I wish, with Your Excellency's permission, to say a few words of farewell. Mr. Lyon came out to India, I believe, in 1883, in the stormy days of the memorable Ilbert Bill controversy. Gifted with high intellectual powers, versatile ability, strong personality, combined with an unfailing courtesy, he made his mark in every sphere of his activities during the last 34 years of his service. He has mixed freely and unreservedly with the people among whom his lot was cast, and tried his best to promote their wellbeing. To the student community of Calcutta, he was a true friend and benefactor; he loved them and they loved him, and I can speak, without exaggeration, that there is a genuine feeling of sorrow among them to have to part with him. The Calcutta University Institute, the play-ground of the Oriental Seminary and many other educational institutions will serve to remind us of his large-hearted sympathy and his services to the cause of education. As Vice-President of the Council, he has guided its deliberations with great dignity, courtesy and consideration and we are profoundly grateful to him.

The time for his retirement has come and we all feel a genuine pang of separation. We bid him farewell—a word which cannot be uttered without emotion and, in doing so, we tender him our best wishes for his health and happiness in his well-earned retirement.

Another member of the Executive Council who had his hand in shaping the Budget will be retiring before long. I believe this is the last occasion when we shall have the pleasure of meeting the Hon'ble Nawab Sir Syed Shams-ul-Huda in this Council. I desire, my Lord, on behalf of my countrymen and specially of the community to which I belong, to publicly acknowledge the

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services he has rendered to the province as a member of the Government. Succeeding a Hindu in the cabinet of our Government, he very soon established his claims upon the gratitude of my country by the impartiality and vigour, frankness and independence with which he dealt with all subjects affecting the welfare of the country. He enjoyed the complete confidence of all sections of the community. The Government could not have an abler exponent of Indian opinion, and we yet hope that though transferred to another sphere not less exalted and onerous, his advice and assistance will be equally available to the Government and to his countrymen."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"My Lord,—At this customary academic discussion of the Budget, I wholeheartedly associate with the observations which have fallen from my esteemed friend, the Hon'ble Maharajadhiraja Bahadur of Burdwan, and my friend, the Hon'ble Babu Surendra Nath Ray, as regards the constitution and working of the Finance Committee. Half a dozen non-official members are admitted into this Finance Committee, and if they are really members of that Committee, an opportunity should be given to them to deal with the Budget finances, irrespective of any motion brought before them, cut and dried, by the official members of the Committee. They should not be there as mere ornamental figureheads to be tackled with the question of estoppel when they happen to differ from the decisions of the Finance Member. With these preliminary observations, I would like to bring to Your Excellency's notice some of the features of the Budget.

My Lord, although we meet under the shadow of a great calamity, the Budget which has now reached its final stage cannot be called a War Budget. The Budget, which is about to be passed, is essentially a measure for securing administrative convenience. Nearly 4½ lakhs have been provided for the partition of two districts and, as a consequence, a further sum of one lakh of rupees has been budgetted for meeting recurring charges for the maintenance of these additional districts. Over 18 lakhs have been provided for the reorganisation and accommodation of the Police. These two are the most predominant features of the Budget. On the other hand, the grant for primary education shows no perceptible increase, the ordinary grant for sanitation has been ruthlessly cut down, and the question of the establishment of a new university in this province, which has been hanging fire for the last six years, has practically been suspended. My Lord, I would not have complained of these reductions, if Government had observed equal economy in the direction of administration. In this matter I feel constrained to say that this was not the time for partitioning districts or for providing new buildings for the comfort and accommodation of the Police. Much less was this the time to incur this lavish expenditure at the sacrifice of sanitation and education. Partition of districts into smaller administrative units may, no doubt, lead to administrative convenience. But, my Lord, administrative convenience is not the panacea for all the evils from which the people suffer. Administrative efficiency, however desirable in itself, being divorced from progressive administration and carried to excess, has a distinct tendency to reduce even the most organised administration to a lifeless machinery incapable of adapting itself to the altered conditions of its environments.

My Lord, the whole country is ringing with the cry of Self-Government within the Empire and a benevolent Government was expected to do something towards the development of Local Self-Government in the domestic affairs of the people. But Government could not accept a simple resolution recently brought forward in this Council for the

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extension of the Municipal system, but resolution or no resolution, Government are always in a position to mark its sympathy for the aspirations of the people, if it is disposed to treat with sympathy the question of Local Self-Government. Local Self-Government has been truly said to be the foundation of National Self-Government, and it would be an act of wise statesmanship to inspire the minds of the people with trust and confidence in the benevolent intentions of Government."

The Hon'ble MR. BEATSON-BELL said :—

"My Lord, I rise to a point of order. This matter does not arise out of the Budget."

THE PRESIDENT said :—

"Strictly speaking, I do not observe any very close connection between the speech of the Hon'ble Member and the Budget. But it has been customary, I understand, to allow a very general discussion on the occasion of the annual final stage of the Budget. I would ask the Hon'ble Member not to travel further away from the Budget than he can help, and I hope he will refrain from doing so."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"My Lord, I do not quite understand that I went beyond the Budget.

It is very discouraging to contemplate that no less than 34 resolutions were moved by the non-official members and with the solitary exception of one small resolution for which the Hon'ble the Director of Public Instruction ought to be thanked, all of them were stubbornly resisted and rejected by Government. In two cases they were rejected by the bare majority of the casting vote of the Vice-President in the chair. Surely this is not very encouraging to non-official members.

My Lord, I do not know whether I would be going against the rules of the Council if I were to say something on the question of internments to which one Hon'ble Member has made a reference. The humble suggestion, which I have made more than once outside this Council Chamber, I would submit once again for the responsible authorities to consider. I refer to the case of the large number of young men who have been interned. I am not going into the vexed question whether they were actual conspirators, anarchists, or whether they were merely taken into custody under suspicion. What my view is this : that these young men, who have been interned and whose number—as far as I understand—comes close upon a thousand, cannot be detained for ever, and when they are let loose, what will be the state of the society and what will be the condition of these boys? They cannot possibly reconcile themselves to the hardships to which they have been subjected. Whether they deserve the punishment they are undergoing or they do not—they will always carry within themselves the idea that they have been victims of a conspiracy and it is my sincere conviction that these boys after their release will be driven into the arms of anarchists or conspirators and they will cease to be useful citizens of the country and the Empire. Under these circumstances it is my earnest request to Your Excellency's Government that the matter be taken into serious consideration and to see whether it may not be possible even now to give these boys an opportunity of joining the Defence of India Force if

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they choose to do so. It would surely have a corrective effect upon them, if they are guilty, and at the same time many of them might be reclaimed and they might become useful citizens.

As regards the pay of teachers to which reference has been made by some speakers, I confess that I was instrumental in pilloring the Hon'ble Mr. Hornell upon issuing a circular which, I understand, was not his production, but which came as a legacy to him from his predecessor. However it is gratifying to learn that the Hon'ble Mr. Hornell will now be able to deal with the question more satisfactorily with the handsome grant which the Government of India has made for the improvement of the pay and prospects of the teachers.

My Lord, before I sit down I will say only this. Your Excellency will remember that India of to-day is not India of 1906 and Bengal has moved apace with the current of progressive thoughts and ideas which have asserted themselves in the public mind of Bengal during the last 10 years. Your Excellency comes to us fresh from the bracing atmosphere of the great mother of Parliaments, and it is our earnest hope and desire that Your Excellency will not loose a single opportunity to impress the Government of Bengal with those ideas of justice, fairness, and progress which are the noble heritage of the great representative assembly to which Your Excellency had until recently the privilege to belong."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"MY LORD,—It is hardly necessary for me to discuss at length the various items in the Budget presented to us on the 27th March last. On account of the war, there are financial difficulties on the part of Government, but there is a strong popular feeling which we are bound to represent to Government for increase of expenditure under the heads of Education, Sanitation and the project for mitigating the effects of the Damodar floods in the Burdwan Division. We hold briefs from the people and it is our sacred duty to lay their grievances for the consideration of Your Excellency's Council. On the 13th ultimo we discussed the manner in which our respective claims for the appropriation of the money demanded by us may be met from the several heads of the Budget already settled. All the resolutions had to be withdrawn by us under circumstances recorded in the proceedings of the Council held on the 13th and 14th March, 1917. It now remains for me to submit my views generally on a few items and I will be very brief in my observations regarding them.

The grant for Sanitary purposes is Rs. 2,62,000 for this year. In 1913-14 the actuals were Rs. 5,58,825 ; in 1914-15 Rs. 3,94,688 ; in 1915-16 Rs. 2,13,735. We expected a larger grant.

I may mention that proper application of the Public Works Cess by the District Boards is very desirable and I put a few questions to the Council to get an idea on the subject. But there has been a most lamentable failure on the part of a few District Boards to spend larger sums of money on the excavation and re-excavation of tanks as will appear from the tabular statement of expenditure during the year 1915-16 furnished to me at the Council

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Meeting held on the 27th March, 1917. This result must be regarded as very disappointing.

My Lord, I beg to invite the attention of Your Excellency's Government to the appropriation of the Public Works Cess for the supply of pure drinking water in villages. It is a matter of satisfaction to the villagers that the rigour of the rule of contribution of a third share of cesses by them has been relaxed by our benign Government. Malaria and cholera in villages will be greatly checked if a sufficient number of tanks are excavated and re-excavated and pure drinking water is supplied to the people. It is no exaggeration to say that scarcity of good drinking water in a large number of villages is loudly complained of.

I thank the Government of Bengal for granting Rs. 10,000 for improving the sanitary condition of the Berhampur Sluice on the Bhagirathi Embankment in the district of Murshidabad, for which I moved a resolution on the 14th March, 1917.

I thank the Government of Bengal for providing Rs. 2,50,000 in this year's Budget for mitigating the effects of floods in the Burdwan Division.

The education of girls on oriental ideas is highly desirable and I have invited the attention of Government to this most important subject. The observations of the Hon'ble Mr. Hornell on my resolution, dated the 14th March, 1917, regarding the Mahakali Pathsala show that he has sympathy for such a system of education. I hope Your Excellency will be pleased to consider the matter.

For the education of girls of Upper Primary Schools, the provision in this year's Budget is Rs. 4,000 and for that of the Lower Primary Schools is Rs. 17,000. These amounts are not adequate. The sum of Rs. 13,000 has been kept for Zenana classes in East Bengal, but there is no such provision for West Bengal. The omission should have been remedied.

I thank the Government of Bengal for promising to make the best possible temporary arrangement for the accommodation of the Indian students of the Medical College, Calcutta."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, I congratulate the Hon'ble Member in charge of Finance on the budget he has presented this year which can be taken as a prosperity budget. In the revised estimate for 1915-16 the receipts of the year were calculated at Rs. 6,26,31,000, but the year ended with a clear receipt of Rs. 6,34,60,000 in round numbers with better receipts by about Rs. 8,00,000 mainly on Land Revenue, Stamps, Excise, Income-tax and Quinine sale. The revised estimate for 1916-17 shows a probable gain over the actuals for 1915-16 by nearly Rs. 20,00,000, though the provincial share of the increased revenue from new taxation under Excise and Income-tax had to be transferred to Imperial Revenue. The real improvements in 1916-17 also are likely to be effected by better receipts on Land Revenue, Stamps, Forest Jails and Quinine sale. Excluding the special Imperial grant of 9 lakhs for improvement of pay and training of teachers the year 1917-18 has been

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estimated to make further progress by better receipts amounting to Rs. 2,82,000, mainly on Land Revenue, Stamps, Excise, Forest and Registration. There was not only improvement on receipts but expenditure was also less in 1915-16 and there will probably be a large saving in 1916-17 as shown in the revised estimate. Thus the revised estimate for 1916-17 shows a closing balance of Rs. 3,26,79,000 in place of Rs. 2,60,97,000 in the sanctioned estimate for that year and the year 1917-18 is estimated to begin with a clear gain of Rs. 65,82,000.

In the budget estimate for 1917-18 a sum of Rs. 11,21,000 is estimated to be spent over and above the estimated income of the year. It has also been noted that a sum of Rs. 69,80,000 out of the closing balance remains available for new expenditure in the future. I have not been able to make out how, when and under what circumstances this expenditure is likely to be incurred. In the absence of a copy of the order of the Government of India according provisional sanction to the draft Financial Statement it is not clear whether the said sum of Rs. 69,80,000 will really be available for expenditure in the near future. The explanatory notes are not clear and seem to me to be rather misleading.

In going through these figures and the explanatory notes on the closing balances for 1915-16 and 1916-17 it struck me that a very large sum forming part of the closing balance for the year 1917-18 has probably unnecessarily been kept as a free balance. In the budget for 1915-16 a sum of Rs. 20,47,000 was kept free and available for new expenditure in the near future and similarly in the budget for 1916-17 a sum of Rs. 19,27,000 was kept a free balance available which could be spent in future years. If in those two successive years a sum of about Rs. 20,00,000 was thought sufficient as a free balance where was the necessity of keeping nearly Rs. 70,00,000 for the year 1917-18? If any sanction of the India Government for utilising this heavy balance for some useful public purposes was necessary, why was not such sanction sought for and obtained? I hope a satisfactory explanation will still be forthcoming. As I have shown before, the year 1917-18 is the most prosperous of all the years since 1912-13. If we are really prosperous it is but reasonable and fair that all our dependants should be allowed equally to participate in our prosperity. On expenditure side the year 1917-18 is the most liberal of all the years since 1912-13. The budget provides an expenditure of Rs. 6,77,20,000 that is nearly 70 lakhs more than the amount estimated to be spent in 1916-17. This is also a sure index to our prosperity. The budget for 1916-17 being admittedly a war budget that year's expenditure may be taken as the barely necessary, ordinary, annual expenses of administration. Let us see then how the excess amount of 70 lakhs has been distributed in the Budget. As far as I have been able to follow the distribution appears to have been made mainly as follows :—

	Rs.
(1) 18—General Administration—	
Staff and household of the Governor	89,000
(2) 19 A—Courts of Law—	
(*a*) Original Side, High Court	28,000
(*b*) Additional Legal Remembrancer and his staff ...	40,000
(3) 20—Police—	
Improvement of the Police	22,00,000
(4) 22—Education—	
(*a*) Imperial grant for teachers	9,00,000
(*b*) Calcutta Hostels	3,39,000
Carried over ...	35,96,000

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Brought forward ...	35,96,000
(5) 24A—Medical—	
Balgachia Institution	3,50,000
(6) 24B—Sanitation—	
Works of Sanitary Improvements	2,50,000
(7) 26A—Agriculture—	
Joint Registrar and additional staff for Co operative Societies	41,000
(8) 26B—Scientific Department—	
(*a*) Lump grant for Director of Industries	30,000
(*b*) Ditto Development of Industries ...	50,000
(9) 32—Miscellaneous—	
Lump provision for grain compensation allowance ..	4,00,000
(10) 43—Minor Works and Navigation—	
Special provision for mitigating the effects of floods in the Burdwan Division	2,50,000
(11) 45—Civil Works by Public Works Department —	
(*a*) Police buildings	12,00,000
(*b*) Land acquisition and buildings for partitioning Midnapore and Mymensingh	4,36,000
(*c*) Education—Baker Hostel	28,000
(*d*) Medical—Quarter for servants, Medical College Hospital	3,00,000
Total ...	69,31,000

A glance at the distribution at once shows that this year's budget may be practically called the Police Budget as against the War Budget of its predecessor. Taking the Imperial grant of 9 lakhs for teachers out of consideration there remain 61 lakhs and out of that sum 34 lakhs have gone to the Police and Rs. 10,57,000 covered by items (1) (2) (7) (8*a*) (9) (11(*b*)) for administration and in this distribution education fares the worst.

I now wish to make a few observations on some of these distributions.

22—Education.—As regards the Imperial grant for teachers no detailed scheme has been shown and I am not aware if it has yet been formulated. My information is that a scheme for the improvement of the Subordinate Educational Service has long been sanctioned by the Secretary of State for India with scales of salaries ranging from Rs. 40 to Rs. 400 a month. If my information is correct I bring it to the notice of the authorities to consider if it cannot be given effect to now in connection with this grant and a substantial portion of it cannot be utilised for improving the pay and training of the primary school teachers. As the grant is recurring since 1917-18 I hope full effect will be given to this grant without delay and an opportunity may be given for a public discussion of the detailed scheme.

Lump provisions without details have been made of the several Imperial educational grants. At page 23 I notice that in 1916-17 out of the total grant of Rs. 21,91,000 a sum of Rs. 17,98,000 is likely to be spent. We are also told that nothing out of this lump grant is available in 1917-18. Unfortunately, however, no such detailed information for 1917-18 has been given in the budget. Such an explanatory note is absolutely necessary for getting an idea of the real situation. As regards the savings of these grants in 1916-17 amounting to Rs. 3,93,000 which probably were utilised for other

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educational expenditures it is but reasonable and fair that this encroachmen of 1916-17 should be considered as a moral debt and an early opportunit ought to be taken to repay it so that the sum may be spent for the very purpose for which it has been given. The Hon'ble Mr. Hornell complains in introducing the educational portion of the budget that for want of funds he ha not been able to make any provision for new buildings of the Bhola, Jhalakhati, Pirojpur and Jamalpur High Schools recently provincialised. I distributing the aforesaid sum of Rs. 61,00,000 this question should have been considered. Building accommodation for these schools for childre under a tropical sun ought to have been given preference.

A motion was made for a grant of Rs. 50,000 for hostel accommodatio in Rajshahi in consideration of the fact that a large sum is going to be locall contributed for building accommodation urgently required. The Rajshah College is the least expensive Government College and it is a pity tha in a large distribution the claim of this College could not be considered Adequate hostel accommodation and placing the students under proper supervision and control is a crying necessity and in no way subordinate to th housing accommodation of police officers.

An attempt was also made for diverting a substantial portion of th amount allotted for police buildings for the improvement of primary education It is equally unfortunate that it could not be given effect to.

24*b*.—*Sanitation.*—I am glad that a grant of Rs. 2,50,000 has been mad for works of sanitary improvements. No detailed scheme has, however, bee shown and the grant is also not surely adequate having regard to the importanc of the subject. I hope early steps will be taken to make some satisfactor progress in this direction. In this connection it may be noted that a suggestion was made by the Hon'ble Babu Surendra Nath Banerji last year fo surrendering the remaining portion of the Ferry receipts to local bodies. I am not aware what effect has been given to this excellent suggestion. I may be permitted to take this opportunity of repeating this request and I hope this concession will be made with strict direction that the whole amount should be spent for sanitary improvement.

26*b*.—*Scientific Department.*—Two lump grants have been made for th Director of Industries and Development of Industries. A larger provisio was made for these two purposes in the sanctioned estimate for 1916-17 bu nothing could be utilised. The Director could not be appointed as it was no sanctioned and the expenditure under the other head could not be sanctione pending the report of the Industrial Commission. The grant is not adequat and the savings of the year 1916-17 ought to have been added to the prope grant for 1917-18. I hope steps will be taken to give a start as early a possible as the time is very opportune. The recent practical steps taken t give an impetus to home industries is a move in the right direction and an further progress that can be made will be a great help to this crying need.

45. *Civil Works by Public Works Department.*—(*a*) Police Buildings—A list showing what accommodations, where, for whom, and at what cost, ar urgently necessary, and it should have been appended to the Budget Estimate The non-official members representing various interests in this Council have duty to perform. It is not that they have no confidence in the official versio but they should get an opportunity of submitting their views on the subjec based on local information. It is very unfortunate no doubt that the publi cannot, in many cases, see eye to eye with the authorities. The general working of the Police Department, at least of the subordinate police, is not ver satisfactory to the public. It may be pointed out that the complaint is not a new one nor a one-sided one. The public are vitally interested in the workin

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—*contd.*

of the police as they are entrusted with a very sacred and onerous duty—I mean the preservation of the peace. Complaint is often made by the public against the police and the police often complain that they do not get the co-operation of the public. While fully appreciating the remarks of the Hon'ble the Vice-President in introducing the police and jail portions of the amended draft financial statement upon the police and their general work for the maintenance of law and order in this Presidency it is our bounden duty to submit for the consideration of the authorities that there must be some reasonable cause for the long standing mutual distrust and difference referred to above. The police have often been severely criticised and found fault with by the highest judiciary in the land. The fact cannot be denied that honesty and sympathetic treatment are the real key notes of administrative success. Honesty, however, is dependent upon sound education and adequate remuneration which are still absent to a larger degree from the police service than in other similarly important services in India. The system of recruitment of the subordinate police is far from satisfactory. The market value of an ordinary M.A. in the Education Department is Rs. 50 only according to a departmental circular, but the Police Sub-Inspectors drawing an initial pay of Rs. 50 a month is recruited from matriculated students if backed by weighty recommendations. When a large amount (about 22 lakhs) is going to be spent for the improvement of the Police Department the question of house accommodation at a cost of 12 lakhs more could be deferred for a few years at least or a substantial portion of the closing balance shown available for expenditure ought to have been utilised for meeting the more urgent demands of education, sanitation, medical aid, communication and the all-important industrial development of the Province. The improvement of the Police Department is a necessity no doubt and we are glad to learn that the full scheme is ready and it has got the unanimous approval of the Finance Committee. I am not aware, however, whether the same procedure was adopted as regards the appropriation of 12 lakhs for the Police buildings.

(*b*) Grant for land acquisition and for buildings for partitioning Midnapore and Mymensingh.

It is not clear from the statement in the Budget whether the people of Midnapore and Mymensingh are anxious for immediate partition of the districts. So far as we have understood from the speech of the Hon'ble Mr. Dutt, the people of Midnapore at least are opposed to the partition. Several resolutions were moved on the 13th March last urging for the postponement of this scheme for the present. The District Administration Committee recommended immediate partition of Midnapore, Mymensingh, Dacca and Backerganj. If the scheme could be kept pending for the latter two districts I, for my part, fail to understand why the matter cannot be kept pending for sometime more for the former two districts. At least the explanation given is not convincing. If the administrative works for the District Magistrate and the Superintendent of Police for Midnapore and Mymensingh are really very heavy and can not be managed single-handed additional officers can be given for their immediate relief. The work of administration is going on in other respects rather smoothly. The administrative heads can be duplicated without incurring heavy expenditure which the partition will entail. The provision of Rs. 4,36,000 will not cover the whole expenses of partition—more money will have to be provided very soon and this is hardly the time when such big schemes should be taken in hand.

Before I conclude I may be permitted to suggest that more time than what has been allowed at least this year should be given to the members outside the Finance Committee for thoroughly studying the Budget provisions and the explanatory notes should be more exhaustive. My Hon'ble colleague

Mr. Altaf Ali.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI :—*concld.*

Babu Mahendra Nath Ray and others made this suggestion last year and the reply given was reassuring. As a matter of fact we got very little time this year to go through the Financial Statement. It was supplied to us, as far as I remember, on the 4th March last only and we were asked to submit our resolutions by 11 A.M. on the 8th. Constituted as we are our voice is no doubt very feeble and does not count much in shaping and regulating the proceedings of this Council. Still we, the representative spokesmen of the people, have a duty here to perform and if we are to discharge that duty conscientiously and to be of any real help to the official members sufficient time and opportunity should be given us so that we may be enabled to offer useful criticism and practical suggestions."

The Hon'ble MR. ALTAF ALI said :—

My Lord, as it is customary with the members of your Council to discuss the annual Budget, I beg leave of Your Excellency to make a few general observations on the present occasion.

The outstanding feature of the Financial Statement, my Lord, is the great increase in the police charges. While other heads of expenditure have been considerably curtailed, the claims of the Police Department have been met fully both under recurring and non-recurring head of expenditure. Police buildings alone will cost 12 lakhs this year. For aught I know, this has been the subject of severe public criticism.

My Lord, I venture to think that the diminution of expenditure under such urgent and important heads as Medical and Sanitation is to be greatly regretted. Our people in the remote villages and towns are dying by their thousands every year and it is our paramount duty to adopt measures to check the ravages of malaria and epidemic diseases, supply pure drinking water in rural areas and improve sanitation generally.

My Lord, it is a well known fact that wherever in the mufassal an epidemic of any description has broken out, its cause has been attributed either to defective sanitation or poor supply of pure drinking water. Is it not surprising, my Lord, that for such an important work a sum of Rs. 6 lakhs only has been found? The allotment of Rs. 30,000 for Dr. Bentley's scheme of subsoil drainage also is not quite adequate. While I welcome the lump grant of 3½ lakhs to the Belgachia Medical Institution and another sum to the Dacca Lunatic Asylum, I am constrained to say that "the criterion of immediate and imperative necessity" has been too rigorously applied in the case of sanitation. So far as education is concerned, no special provision has been made for any scheme relating to Muhammadan education. The people of Eastern Bengal will be greatly disheartened to find that the recurring grant for the Dacca University scheme has been omitted. I, however, as a member of the governing body of the H. H. School, welcome the provision for Rs. 29,000 odd for masters, etc., for that institution and I take this opportunity of thanking Your Excellency's Government for allowing us to continue this experiment.

As a representative of the District Boards it is my special privilege to thank Government for appointing, though as an experimental measure, a non-official gentleman as Chairman of the Murshidabad District Board. Everybody is confident that Rai Baikuntha Nath Sen Bahadur will more than justify his appointment and it is to be hoped that the experiment will prove a success and that it will be introduced in at least one district in each of the five divisions of Bengal.

The gradual diminution of the Augmentation grant, however, needs an explanation.

Dr. Deba Prasad Sarbadhikari.

The Hon'ble Mr. Altaf Ali :—*concld.*

This is an Imperial grant for the benefit of the District Boards. Nowhere does it appear, my Lord, that the Imperial Government wants to treat Bengal in a different way from the other provinces which enjoy the grant. In my opinion Provincial Governments should not curtail this Imperial grant without the authority of the Government of India. The District Boards should have been provided this year with a special grant with which they could excavate silted up tanks and khals and construct masonry wells for the supply of pure drinking water within their respective jurisdictions. I may be allowed to point out, my Lord, that the big rivers and important waterways of Bengal deserve to be looked after by the Government. My Lord, a rumour has gained ground that it is in the contemplation of the Government to constitute Circle Boards in substitution of the existing Local Boards and to place them under official presidents equal in rank to Sub-Deputy Collectors. I am afraid, my Lord, the latter part of the proposed scheme will not be acceptable to the people who are as anxious as ever that Local Self-Government should be absolutely free from all sorts of official interference.

In conclusion, my Lord, it is my agreeable duty to thank Government for empowering most of our Municipalities during the year which has just been closed to elect their own Chairman. This has everywhere been hailed with delight."

The Hon'ble Dr. Deba Prasad Sarbadhikari said :—

"My Lord, all interested in education, in this country rejoice at Your Excellency's deep-rooted and long-standing interest in the question. Your Excellency is reported to have recently observed that the question of advance of education is largely a question of money and that Your Excellency intended to do your utmost to extend and improve education. As Your Excellency rightly observed the task is gigantic and patience is essential. If it is a question of money, it is no less a question of the soundness of the point of view and correctness of the angle of vision. We rejoice that Your Excellency thinks that arrangements should exist in India to enable Indians to acquire efficient training in the highest branches of medicine, engineering and all sorts of arts and crafts and I have no doubt in this programme of advance Commerce, Agriculture and Technology will find fitting places. With determined efforts and in spite of drawbacks that will long continue, it would be possible to have removed a few more bars in the way of progress. Some slight relief in the situation may be afforded by the Imperial grant of nine lakhs for the betterment of the position and for the training of teachers in our secondary schools. The grant when spread over, all the schools waiting for assistance, may not make a serious impression on the situation in the first instance, but will be an exceedingly good beginning, if properly handled. Careful consultation of all the interests concerned will be needed before embarking on piecemeal individual schemes that will find advocates and the waste that has attended some previous grants ought to be effectively stopped. In the Budget Statement or the debate that followed it, no definite information was forthcoming as to the line that the distribution of the grant was to take and some pronouncement in this behalf would be helpful. And such pronouncement ought to be followed by detailed deliberation by representatives of the different interests concerned. How much of this is to be for training purposes and how much for individual improvement ought to be known early and schools under private management that otherwise receive no assistance, ought to come in for a large share of the benefaction. Whether a very few rupees individually added all over the field would be the better use of the grant or whether selected institutions or classes of institution in some selected area

Dr Deba Prasad Sarbadhikari.

The Hon'ble DR. SARBADHIKARI :—*contd.*

should have thorough toning up as a beginning, others being taken up in their turn when more grants are forthcoming, would also be an interesting moot question.

Intimately connected with the question of improving the prospects of our teachers and properly training them would be the question of housing schools properly, for which no adequate provision by the Government is now possible or is likely to be possible in the immediate future. Such resources as are at the disposal of the Government must be nearly exhausted in the partial improvement of bad Government schools, for unfortunately there are many such, and the schools under private management can hardly expect appreciable relief for a long while out of the existing resources. Yet without some relief it would be a mistake to expect any tangible improvement. The demand for secondary education is growing every day, and it being the rock-bed of satisfactory higher education, the demand cannot be ignored with impunity. I shall not take up the Council's time in detailing the necessities of the situation brought out in a recent debate on the question, but would be content merely to emphasise the supreme need of early action, so that some beginning in selected areas and with regard to selected institutions may be possible. Though no separate and earmarked provision has been possible, the general educational budget may possibly give us a few thousand rupees during the course of the next twelve months, for starting such an experiment as was advocated by the Hon'ble Dr. Nilratan Sarkar at a recent meeting of this Council. The need does not and cannot be denied and the longer the first steps of reform are delayed the worse will the situation suffer as a whole. If the grant-in-aid rules, that are now in the course of revision, are suitably modelled, many who refrained from seeking and taking aid may come forward.

Still more intimately connected with the question of the improvement of our teachers' position would be the scheme of Provident Fund and Insurance, that I have been urging for some time. Now is no time to go into details of such a scheme that must be submitted to careful acturial calculation and checking. But here also a prompt beginning is essential. If you cannot substantially add to your teacher's pay, to give him some sense of security regarding the future would be the next best step to take. A rupee or two added to the present pay would not be half as beneficial as if such increase was diverted to the purpose of a good Provident Fund and Insurance under a mature and comprehensive scheme. This would not only help in raising the status of our teachers but would also under given conditions be a help towards securing continuity of their services.

I must emphasise on the necessity of continuing the grant to our private colleges, for they depend upon such grant for the necessary improvement insisted on by the University Regulations. This grant was ordered by the Government of India, when it realized that the private colleges could not, out of their own resources, in all cases comply with the requisitions of the new Regulations, and every year it has been made over to the Provincial Government for allotment on the advice of the University among the different deserving colleges. Though the grant has been included in the Budget of the past two years as before, the financial difficulties created by the war prevented its distribution as in the previous years. Important work that had been taken up or contemplated was necessarily postponed and the progress of these colleges has been considerably thrown back. It is sincerely to be hoped that no contingencies will arise that will make further postponement of the distribution of the grant necessary. One of the first charges so to speak on the grant is the deficit of the Calcutta Mess Scheme that at the instance of the Government of Bengal the University has taken up.

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Such deficit has increased owing to the increase of the demand on the scheme and the increase in deficit cannot be long allowed to remain standing without serious prejudice to the whole scheme. In fact, the scheme has to be considerably strengthened and added to if our Residence Regulation Regulations are to be insisted on strictly. The new hostels under erection will accommodate but a small number of the under-graduates that we have to accommodate and attached and unattached messes under tolerably strict supervision and on comparatively easy terms, must continue if the residence rules are to be complied with. This is one of the acutest of the problems of our private colleges and if the Government has no independent funds to give, over and above the nine thousand a year that is now being given, the deficit must come out of the grant earmarked for private colleges, as had been agreed to before. On a previous occasion the Hon'ble Mr. Hornell and myself fully explained to the Council that in matter of the distribution of the Hostel grant of the Government of India, which, strictly speaking is not a matter for this Council to consider, cannot be said to be unfair as complained by some of the Muhammadan members of this Council, I should like to have much more of course, both for Hindu and Muhammadan students if I possibly could.

The next question of importance connected with the matter is that of providing adequate and seemly furniture for the new hostels which are fast approaching completion. The Government of India grant may ultimately prove inadequate for the completion of the scheme owing to the steadily increasing war charges and the savings that at one time we fondly thought could be diverted for the purpose of two small hostels for the depressed classes and the Buddhist community, may after all turn out to be very illusory indeed when the accounts are finally adjusted. In the meantime, the hostels should be ready for occupation at the beginning of the next term and must be suitably furnished. If left to themselves, the boys may bring in non-descript furniture of all sorts and conditions and in all possible stages of dilapidation as is the case in some of our messes. This state of things is not for a moment to be thought of in connexion with the fine buildings that the generous grant of the Government of India will soon enable us to present to the colleges. Nor have the colleges funds of their own out of which the large expenditure for furnishing can be met. This expenditure has, therefore, also to come out of the accumulated grant or at least the year's grant for the private colleges, than which, for the present, there can hardly be a more deserving object. Representation on this behalf is already before Your Excellency's Government and I trust will receive sympathetic response.

I have referred to the necessity of providing for under-graduate residence so far as the Government colleges are concerned. I desire to take this opportunity of drawing the attention of Your Excellency's Government to the need of strengthening under-graduate teaching in the Government colleges.

Under a Post-Graduate Studies scheme now engaging our attention and into the details of which this is no time or place to enter, the obligation of the Government in Calcutta are likely to be less than before, and it is worthy of consideration whether in other centres, such as Rajshahi, Dacca, Hooghly, Krishnagar and Chittagong, steps might not be taken for starting or strengthening post-graduate studies by way of relieving pressure on Calcutta, which is already very great. This aspect of things has often been attempted to be impressed upon the Government, but not with much success. Advance University work ought to be a matter of grave concern to the Government from the point of view of securing suitable teachers in large numbers in the various subjects taught in our colleges and from the industrial and economic points of view, if from no other. An illustration of the importance of the latter point of view may be found in the recent, up-to-now-unsuccessful

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negotiation, with the Government for obtaining duty-free alcohol for research work in the Science classes of the University. As Your Excellency may be aware the splendid benefaction of the late Sir Taraknath Palit and Sir Rasbihari Ghosh have enabled us to secure the services of distinguished Professors like Dr. P. C. Ray, who have a host of willing, enthusiastic and energetic co-laborators, capable of taking up research work in connexion with drugs and dyes that are at the present moment of very great importance. Leaving their routine academic work alone this aspect of their work entitles them to such assistance as may be for the Government to give. In their progressive work alcohol plays an important part. If the usual high duty has to be paid for alcohol necessary for this supreme work, the work is bound to be starved and neglected. Government can manufacture alcohol *ad libitum* at almost a nominal cost, more than which, and even small margin of profit, we are prepared to give. But to demand the high duty of Rs. 18 a gallon though denatured spirit for lesser industrial work pays much less, is no assistance to Science, Industry or Economics. If it was the fact that withholding this concession would make it obligatory on the University to buy at any cost all the alcohol that could be possibly consumed under more favourable circumstances, the question of possible loss of revenue might arise. But the fact is that if free alcohol cannot be secured, as the Presidency College and the Indian Museum can secure, the contemplated work will simply be put on one side, though there is a capable agency at our disposal. It is a mistake to suppose that extravagance must follow a cheap supply. In our laboratories we scrupulously use even distilled water manufactured at a cost of 2 annas per gallon. It would be a greater mistake to suppose that because the Government of India is still the Government for the purposes of the Universities Act, the Government of Bengal may not well extend a helpful hand in concerns like these, and I am not aware that in the Excise Budget expectation is shown that the Science College revenue will come in in a very marked degree because of the withholding of which I complain. My Lord, the question has an important educational aspect and it is not merely an excise question. It will I hope be reconsidered favourably, so that we may be able to get the best out of our Professors and scholars. It may be considered curious for the President of the Temperance Federation plead for such a liberal supply of free alcohol. If he is liberal in the interest of research and industries he is equally niggardly with regard to other aspects of the question.

On the subject of Excise, Your Excellency will find a keen and growing interest in Calcutta and throughout Bengal. Temperance reform in the West has aimed at restricting the consumption of intoxicants as beverages among all sections of the community, and on behalf of the Temperance forces of this City and Province I desire to express to Your Excellency the sincere gratitude and extreme pleasure with which the announcement was received that the luxury of champagne and other wines was to be banished from Government House. Bengal will appreciate this sacrifice and honor Your Excellency for the example you have set. May I express the hope that the leaders of both Indian and European Society in this city who were foolish enough not to follow the King's lead will now be wise enough to follow the Governor's example.

The steady decline in the consumption of intoxicating drugs and drinks in Bengal has meant a loss of revenue but a loss that those who are the best friends of the country do not regret. Indeed Your Excellency will learn that Temperance workers throughout India are urging the Government of India to change its avowed policy of perpetuating the evils of the drink and drug habit by steadily guarding the interests of the moderate drinker, instead of adopting the idea of total abstinence as the ultimate object of Provincial Excise administration and gradually working to the steady

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attainment of that end. India will not be satisfied until its outcast communities which are the hardest and heaviest drinkers are weaned from a habit that helps to keep them debased and degraded. For economic reasons—for all agree that money spent on liquor and drugs is money wasted—the habit of total abstinence should be encouraged, partly at present from patriotic motives, but quite as much from the highest moral considerations. Your Excellency will we trust promote the interests of Bengal by administrative regulations as well as personal example, and for myself I would gladly see other luxuries taxed rather than that revenue should continue to come from what John Morley once described as India's dire, additional plague.

I will only ask Your Excellency to approve and foster the lead Your Excellency's predecessors have given in Excise administration by extending the good work done by the Calcutta Licensing Boards to three or four more of the largest centres of population in Bengal; or if that is not thought practicable, by extending the powers of the Calcutta Board to a much larger area round Calcutta; also to extend the system of Advisory Committees, their constitution, powers and procedure, so that local opinion may be more uniformly and effectively consulted, and finally that all reasonable suggestions for the reduction in the number and sites of liquor and drug shops shall be approved, and the hours of sale more strictly limited. Those who have come recently from England tell us that India is altogether too slack in facing the issues of the war and its call upon every subject of the Empire to make some real sacrifice. Your Excellency will find that Indian public opinion will heartily support a sterner policy of repression of the evils of intemperance and a much more drastic limitation of the ordinary sale of intoxicating liquors and drugs than the Government of Bengal, despite its past sympathy and aid, has shown itself prepared to give.

A question that some of us very often pressed before this Council is that of improvement of one of the most deserving departments of Your Excellency's Government, viz., the Provincial Judicial Service. After long and continued struggle we succeeded in getting the Government to see the necessity of raising the initial pay of our Munsiffs and the necessary budget provision was secured. But the ultimate adoption of this scheme was delayed as the recommendation of the Public Services Commission was not yet known. Those recommendations are now before the Government, and we are thankful that they are much more liberal than even we ventured to ask for. With such high authority in our favour, we claim that the question ought not to be further deferred and that a beginning should at once be made for giving effect to improvement that has long been considered necessary.

We have often discussed in this Council the disastrous results of the Damodar floods, which formed even to-day the subject-matter of some questions. The matter has engaged the attention of the Government and the public long and now and again we had sympathetic assurances of which nothing practical has yet come. One of the villages on the Damodar—a village destined to live in the history of modern Indian civilisation—has terribly suffered for many years. It is suffering more and more every year and may soon be washed away altogether and be a thing of the past. Radhanagore in the district of Hooghly, where the pioneer reformer Raja Ram Mohan Roy was born, is a doomed village and hundreds if not thousands of villages round about are in the same predicament and the plea on their behalf from year to year has been unavailing so far. Radhanagore is soon likely to have a permanent and suitable Ram Mohan Roy memorial and if the authorities of the Bengal-Nagpur Railway make some concessions that have been asked for, Radhanagore will soon grow in importance and its protection and the protection of the many villages round about will be a matter of the utmost

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importance. I should like therefore to associate myself strongly with the views of the Hon'ble the Maharajadhiraja of Burdwan that some early attempt for mitigating the evil is imperatively necessary. I also desire to associate myself with the Maharajadhiraja Bahadur in his appreciative remarks about our retiring Vice-President and Hon'ble Nawab Sir Syed Shams-ul-Huda our relation with whom in this Council were always pleasant and profitable.

The Hon'ble BABU BHABENDRA CHANDRA RAY said :—

"My Lord, it is very trying to have to deal with a Budget which claims to be an adversity Budget, and moreover seeks to stifle criticism by bravely displaying the label—'approved by the Finance Committee.' But my Lord, if we are to be true to ourselves and to our constituencies, we must speak out —some times even at the risk of disturbing the serene equanimity of official minds. Our lack of information is not unoften responsible for inquiries and observations which provoke curt and indifferent replies from the official benches. But I can assure your Lordship that non-official members do sometimes attempt to study things, according to their own lights, before raising any discussion thereon. The Budget itself, for instance, needs some gloss on some points to enable uninitiated but inquiring minds to correctly appreciate it. And when in such circumstances we ask for more light than the official papers suffer to afford us, we certainly do not expect to be referred back to those very pages which prompted us to make the inquiry. It may be a dexterous method of answering interpellations, with which the Secretariat appears to be in love. But we expect your Lordship to wean it of its affection for fencing methods in the matter of replying to non-official queries.

My Lord, I had the misfortune on the last Council day to ask for detailed information in regard to the head of Income-tax in the present Budget; and it pleased the Secretariat to refer me to the Budget itself in reply. I do not know why the Secretariat could not be charitable enough to presume that I had some acquaintance already with what appeared in the Budget on the point. At least we non-official members expect to be given the benefit of doubt in these matters. As the reply has not improved my knowledge in any manner, I take the liberty of raising the question here again, in the hope that the Hon'ble Member in charge will not disdain to explain things which, though quite obvious to the omniscient Secretariat, cannot be easily comprehended by ignorant non-official members.

My Lord, we are all aware that the income-tax was somewhat enhanced last year by the Imperial Government, and although the income-tax is a divided head of revenue—shared equally by the Imperial and Provincial Governments—the Government of India was desirous of appropriating for Imperial purposes the entire excess yield which would result from the enhancement. It was calculated that this excess, so far as Bengal was concerned, would be Rs. 40 lakhs 80 thousand, of which only half would ordinarily be credited to the Imperial funds. The other half, representing the Provincial share and amounting to Rs. 20 lakhs 40 thousand, was therefore made into a fixed assignment by the Provincial Government in favour of the Imperial. Accordingly, this assignment was provided for in the Budget of the last year on the understanding that the amount would be liable to revision only when normal financial conditions were restored. But as a matter of fact, the excess came up to 65 lakhs in 1916-17, and is expected to be 78 lakhs in 1917-18. And instead of sticking to the assignment of 20 lakhs 40 thousand, the Local Government have made over 32½ lakhs as the Provincial share, or 12 lakhs 10 thousand in excess of the assignment, to the Imperial funds in 1916-17. They have, moreover, budgeted for 39 lakhs, or 18 lakhs

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60 thousand in excess of the assignment, to be made over to the Imperial Government in 1917-18. The brief explanation which the Budget furnishes for this departure from the terms of the assignment is that the "Local Government did not feel justified in adhering to the assignment." I am perfectly aware, my Lord, that the financial relations of this Government with the Imperial are governed by strict principles into the merits of which it is not permissible for us to enter. But when they are thus regulated by a stern system of settlements, assignments and transfers between the two Governments, any lapse into fits of generosity or other softer sentiments, on the part of either, is not only unexpected, but sometimes calls for more than a passing explanation if particularly such weakness tends to a loss of revenue to us. I hope the Hon'ble Member in charge will be pleased to explain the terms on which the assignment was fixed, indicating whether it is strictly obligatory on the part of this Government to assign any amount over Rs. 20 lakhs 40 thousand from the Provincial share of the excess amount of income-tax to the Imperial Exchequer.

My Lord, coming now to the expenditure side, I am impelled to take off my hat to the Police head, for to that belongs the prerogative of plenitude. I regret it is beyond me to approximate to that pitch of mind where the very association of the magic name of Police is sufficient to invest any scheme with the character of overruling importance and, in the words of the Budget itself, "immediate and imperative necessity." The progress which the Police expenditure has made since 1912-13, as compared with expenditure under Education and Sanitation, provides food for much serious thought. From something like 84 lakhs in 1912-13, the total Police charges excluding Police buildings, have risen to 1 crore 34 lakhs in the present Budget, which represents an increase of 50 lakhs or about 60 per cent. in six years. Turning to Education we notice that from about 75 lakhs in 1912-13, the expenditure has come up to 98 lakhs in the Budget; here we have an advance of 23 lakhs or 30 per cent. in six years. The Sanitation expenditure, borne out of Provincial funds, was 7 lakhs 64 thousand in 1912-13, and has come down to 5 lakhs 98 thousand in the Budget—which represents a decrease of 1 lakh 66 thousand or about 22 per cent. Taking now the total provincial charges for comparison, we note that from about 5 crores 70 lakhs in 1912-13, we have arrived at 6 crores 77 lakhs in the Budget; in other words, there has been an advance of over 1 crore or about 20 per cent. in six years. Again, we find that in 1912-13, Police expenditure represented about $\frac{1}{7}$, Education $\frac{1}{8}$, and Sanitation $\frac{1}{80}$ of the total provincial charges of the year. The Budget figure for Police expenditure in 1917-18, however, represents $\frac{1}{5}$, Education $\frac{1}{7}$, and Sanitation less than $\frac{1}{100}$ of the estimated provincial charges. A striking feature of the Police charges is that they maintain a steady, uninterrupted advance since 1912-13, while the other items of expenditure, such as Education and Sanitation, indicate fluctuations during the corresponding periods quite as much as the total provincial charges. Another remarkable fact is that while the actual educational expenditure generally falls below the Budget by several lakhs, the Police actuals are better than the Budget by a respectable margin since 1915-16. So that there is a lively chance of the actual Police charges mounting up higher than the already inflated Budget figure for 1917-18 by a few paltry lakhs, and the Education and Sanitation budget-suffering a corresponding shrinkage.

My Lord, a few days back I had the honour of moving a resolution in connection with the Financial Statement, seeking to ensure a full allotment of what is known as the Augmentation Grant to the District Boards from which the Provincial Government have for some time been making deductions without any excuse or authority whatever. In conditionally accepting the

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resolution, the Hon'ble Member in charge was led to remark that Government had been considering whether they could not be more generous with the District Boards. The Hon'ble Member, I trust, is alive as much as any body else to the fact that the acceptance of my resolution did not involve any exercise of the virtue of generosity on the part of Government, but was the least that they could do to extricate themselves from a rather awkward situation. And I think I have a right to hope that the Hon'ble Member having made that statement will stick to his assurance that Government are thinking of becoming more generous to the local bodies. The necessity for ampler funds is growing every year with the ever-increasing demands on the purse of our District Boards. There has no doubt been an improvement in the financial position of the Board on account of the localisation of the Public Works cess; but we must not forget that certain Provincial grants have been concomitantly withdrawn. And the position is this, that although in less informed quarters the District Boards seem to be "rolling in wealth," they are very much worse off than the local bodies in the other provinces in India. From the statistics available to us it appears that the incidence of income (excluding opening balance) of the local bodies in the various provinces stood thus, in 1913-14 :—

	Rs.		Rs.
Madras	·53	United Provinces	·26
Assam	·52	Central Provinces ...	·25
Bombay	·47	Bengal coming last with ...	·22
Punjab	·44		

And while in the case of all the other provinces, this income per head of population is a steadily increasing figure, in Bengal it reached its highest in 1913-14 with ·22 and is going down from 1914-15. The total income of the Boards in Bengal (excluding opening balance) stood at 1 crore 7 lakhs in 1913-14; 1 crore 4 lakhs in 1914-15; 1 crore 7 lakhs again in 1915-16; 98 lakhs 30 thousand in 1916-17, and it is estimated to go down to 96 lakhs 94 thousand in 1917-18. My Lord, our balances have for some time been a reproach on our capacity for spending. I desire, however, to point out that the local bodies in Bengal are not singular in this respect; indeed, they sin in the company of all the other major provinces in India. But conditions are improving very fast in Bengal and our balances are as a matter of fact dwindling remarkably. The closing balance of the District Boards in Bengal reached its highest in 1914-15 with 30 lakhs 65 thousand and odd; the balance for the next two years were 22 lakhs 73 thousand and odd, in 1915-16; and only 8 lakhs 27 thousand and odd in 1916-17, the estimated closing balance for 1917-18 being 7 lakhs 51 thousand and odd. I have very little doubt, my Lord, that taking the estimated figure for 1917-18, there will be hardly another province in India to show such a small balance. We all know, that the Boards stand on the threshold of a most memorable chapter in their history. We see in every direction signs of expanding importance and usefulness of our self-governing institutions. Their duties are growing more and more, and their purse-strings are being tugged vigorously from all sides. The large balances have evaporated in an incredibly short time, and the local bodies must be financed more liberally if they are to be saddled with further responsibilities. Apart from the direct demands of rural sanitation, water-supply and primary education, the local bodies are now to finance the Union committees whose number is on the increase; and if the suggestions about the "Circle System" as put forward in the Report of the District Administration Committee, come to be given full effect to, then the burden on our local bodies will become a very heavy one in all conscience. For, if I have been able to follow the recommendations of the Committee, they want the bulk of the Public Works cess receipts, now credited to the District Boards, for the purpose of financing the Circle System when it comes into being.

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My Lord, I plead therefore for a greater financial assistance to our District Boards. As I have already stated, Government contribution to these bodies has fallen off with the surrender of the Public Works Cess. And taking the revenue, properly so called, of the local bodies of the different provinces, as shown in a statement placed on the table in the Imperial Legislative Council on the 20th March last, I find that in the year 1914-15 Government contribution roughly represented 60 per cent. of the total actual revenue of the local bodies in Assam; 45 per cent. in Bombay; 40 per cent. in the Punjab and in the Central Provinces; 35 per cent. in Madras; and 20 per cent. in Bengal and in the United Provinces. We have therefore a very legitimate grievance in this respect. One of the reasons why the local bodies in some of these provinces are in receipt of such large subventions from Government appears to be that there the Augmentation grant made by the Imperial Government represents one-fourth of the total land cess, while in the case of the local bodies in Bengal this grant is at present practically one-eighth of the land cess. I am aware that the Local Government have no more authority to increase this grant than to effect any deductions therefrom. But may it not be expected that your Lordship's Government will be pleased to take up the cause of our local bodies and represent the matter to the Government of India with a view to get the Augmentation grant doubled as soon as Imperial finances permit. I may remind your Lordship that the Decentralisation Commission, in recommending the improvement of the financial position of the local bodies, suggested, among other things, that the Augmentation grant should be increased. I do not claim that the local bodies in Bengal should be treated with greater indulgence by the Government of India, but only that they should be placed on the same footing as the local bodies in those provinces where the grant represents 25 per cent. of the entire land cess. Before I resume my seat, let me express the hope that it will be possible for your Lordship's Government to give effect to my resolution of the 14th March last regarding the Augmentation grant within the present financial year, and to restore to the District Boards the amount of 5 lakhs and odd representing past deductions from the grant."

The Hon'ble RAI SRI NATH RAY BAHADUR said :—

"My Lord, we are keenly sensible of the heavy strain on the finances of the Government due to the continuance of the war. It is reasonable to expect that many of our cherished schemes will remain in abeyance during the period. But we hope that this year will see the end of this world struggle with the victory of Great Britain and her Allies and we will meet next year under different conditions and circumstances.

In reply to an interpellation last year by Nawab Syed Hossam Haider Chowdhuri, Khan Bahadur, the Government were pleased to state that 27 high schools were unable to obtain affiliation for want of funds, the Government then not being in a position to help them with the requisite aid. I do not know how many of these 27 schools have since been able to obtain affiliation. It is with great difficulty that the school authorities can make both ends meet, as the Indian Universities Act and the University Regulations impose various obligations on the school authorities which require a great deal of expenditure. According to Government rules, a boy willing to enter the University or any technical Department or Government Service is rightly required to pass at least the Matriculation Examination. It is therefore absolutely necessary that education up to the Matriculation Standard should be within the reach of many. The University insists on certain conditions to be fulfilled before a school is recognised. As a general rule the University relies on the report of the Departmental Inspector to see if these

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conditions have been complied with. It is frequently complained that Inspectors are very hard to please and that they apply the Regulations with great stringency and rigour. In the interest of education I would desire a little more leniency in the matter of inspection until the Government will be in a position to be more liberal in grants. Of course I do not ask for leniency of standard in teaching and management. The Department may not insist on expensive schemes of accommodation and it is likely the University will not object to any relaxation in this respect.

There has been a proposal to provincialise four High Schools, viz., those at Bhola, Pirojpur, Jhalakati and Jamalpur. A large amount of money will be required to carry out the scheme. I would beg to suggest that the scheme may be put off for the time being, and the amount thus saved may be given to those institutions which cannot subsist without public help.

We cannot but feel grateful to His Excellency the Viceroy for the annual grant of nine lakhs of rupees for the improvement of the pay of the teachers in conformity with His Excellency's announcement made at the last Convocation. Now with this Imperial grant the Government will be in a position to remove to a certain extent a source of dissatisfaction to this highly deserving class of public servants by a judicious distribution of the amount set apart for the purpose.

The Medical College at Calcutta is quite insufficient to meet the growing demands for medical education in the country. It is a melancholy fact that a very large percentage of Eastern Bengal students could not be admitted to the Calcutta Medical College last year on account of the paucity of accommodation, and this deplorable state of things has unfortunately been going on for the last few years. The inadequacy of medical aid in the towns and villages of Eastern Bengal has been more than once referred to by your Excellency's predecessor in his public utterances at Dacca. I would therefore urge upon the Government the imperative necessity of establishing a Medical College at Dacca as soon as the funds permit, even before the University scheme takes a practical shape. Thanks to the activities of the Agricultural Department, Dacca has been provided with an Experimental Farm. Agriculture is the main stay of the vast population of Eastern Bengal. I venture to point out that the establishment of an Agricultural College at Dacca will remove a want which has been long felt by the people of Eastern Bengal, especially the upper and middle classes. These two Colleges will eventually form a part of the Dacca University. I would urge upon the Government the consideration of providing hostels for the graduate and under-graduate students of the backward classes in Calcutta. At a modest computation there are about a hundred students of these communities studying in the various Colleges at Calcutta. They cannot find shelter in the ordinary hostels and messes for unfortunate caste restrictions and they have to put up with great indignity and inconvenience in getting accommodation. I am glad that the Muhammadans are going to have separate hostels. In the same way I plead for separate hostels for the students of the backward classes. At Dacca the then Eastern Bengal Government made good provision for them, but at Calcutta none exists.

When the public works cesses were made over to the District Boards it was contemplated that the fund thus available would be principally utilised for the improvement of water-supply in the rural districts; but it is to be regretted that the grant has not been properly applied to this purpose, and the actual amount annually spent by the Boards in this direction has been quite insufficient in proportion to the needs of the country. The expenditure

Rai Sri Nath Ray Bahadur.

The Hon'ble RAI SRI NATH RAY BAHADUR :—*contd.*

on this head should be largely increased to remove the scarcity of water-supply. The Government should impress upon the District Boards the necessity of increasing the expenditure on this head.

The Government should consider the question whether the District Boards should be asked to re-excavate the dried-up and silted-up canals. Their re-excavation will have the effect of improving the water-supply, irrigation, communication by boat and drainage. The improvement thus made in the drainage of the country by opening up of silted-up canals will most probably help in checking the spread of malaria which every year kills hundreds of thousands of people and wrecks the health of a still larger number. I am glad to say that both the Imperial and the Provincial Governments also recognise the fact. No doubt the re-excavation of the dried-up canals and keeping them in order will entail a heavy cost on the Boards and the Government also cannot spare sufficient funds to help them. I would suggest that the cost can be partly or mostly met by the levy of a toll on every boat that passes through the canals and an enormous sum can thus be raised without straining the purse of the people in general. To take only a few instances, the re-excavation of the many khals of Vikrampur in the district of Dacca and those in the district of Mymensingh, will do incalculable good to a very large population of Eastern Bengal. It is also possible to find private companies and individuals who will undertake the work of excavation, if the District Boards guarantee them a certain amount of interest as they do in the case of the light railways. In Eastern Bengal, specially in the district of Dacca, canals are a greater need than roads and railways for the purpose of communication.

My Lord, one question which touches most intimately the people of Eastern Bengal is the position of Dacca as the second capital of the province. Lord Hardinge in the Despatch of August 1911, elaborated the advantages of Dacca as the second capital which had "all the conveniences of ordinary provincial head-quarters." His Lordship pointed out the desirability of the Governor residing there from time to time. The simple statement was afterwards raised to the dignity of an assurance by Mr. Montague, Under-Secretary of State for India, at the discussion of the Government of India Bill in 1912, in which Your Excellency took such a leading part. Your Excellency asked for a Statutory Declaration, but Mr. Montague, on behalf of the Government, did not agree to it, but was confident that "the same reason would take the Governor of Bengal to Dacca that took the Governor of the United Provinces to Lucknow, and the Governor of Bombay to Poona." "Government buildings", he went on to say, "had been put up at Dacca at a great cost and would be preserved and used for the purpose indicated." This was a distinct pledge. Lord Carmichael used to spend a portion of autumn at Dacca and he expressed the hope that Your Excellency would never lose sight of the importance of Eastern Bengal. But it is to be observed that a permanent use has not been made of the Government buildings at Dacca in the spirit of Mr. Montague's declaration in the House of Commons. We desire that some Government offices may be permanently located at Dacca; and Dacca may be made the head-quarters of the Departments of Land Records and Agriculture and Excise, and the offices of the Postmaster-General, Inspector-General of Civil Hospitals and Jails and Registration. Most of the big zemindaries are within the divisions of Dacca, Rajshahi and Chittagong, and a large number of estates in those divisions are under the control of the Court of Wards. The office of the Board of Revenue may also be permanently located at Dacca. I hope that Dacca will be really treated as a second head-quarters as Lord Crewe had said, and be placed on a footing of equality with Poona and Lucknow. There have been attempts in certain quarters to

The Hon'ble RAI SRI NATH RAY BAHADUR—*concld.*

belittle the importance of Dacca, but we hope during Your Excellency's Government these attempts will end in failure."

[At this stage the Council adjourned for lunch.]

AFTER LUNCH.

The Hon'ble MR. RASUL said :—

"Before I make my observations on the Budget proper, I desire to say a few words with regard to the procedure regarding the Budget debate. My friend the Hon'ble the Maharajadhiraja Bahadur of Burdwan has drawn Your Excellency's attention to the rules and regulations regarding the Budget debate and also with regard to the Finance Committee. I want to associate myself with all that he has said in respect of the Finance Committee and in regard to the rules. But I also want to say a few words on the futility of the Budget debate and in this connection I would draw Your Excellency's attention to a certain procedure. I was one of those who received a circular letter from the Secretary to the Legislative Department drawing our special attention to rules 34 and 35 of the Bengal Legislative (Financial Statement) Rules asking us to be relevant to the Budget, that is to say, I was under the impression that we would not be allowed to say anything with regard to anything else except the Budget. After receiving that letter I looked into the Budget debate and the innumerable speeches that were delivered last year. There I found about 100 closely-printed pages in the *Calcutta Gazette* and, out of that, I could see that nearly 70 pages were devoted to matters absolutely irrelevant to the issue—as we lawyers call it. I was rather glad when I received that letter which I have mentioned and also with regard to the 15 minutes time-limit. Now to-day from the first few speeches that I had the good fortune to listen to, I found speakers referring to several matters which were irrelevant to the Budget discussion. Now as I said in the very beginning about the futility of the Budget debate, I only want to draw Your Excellency's attention to the fact that after devoting one day or two days to the Budget discussion we are not allowed to vote on it. We are only allowed to make speeches on subjects which were already discussed during the debate on the Revised Financial Statement and the Hon'ble Members of the Executive Council reply to these speeches and the Budget is passed. Now what is the use of repeating these arguments again and again? I would therefore ask Your Excellency whether you could see your way to amend the procedure in some way. My humble suggestion is this : that on the day fixed for the Budget debate there ought not to be any debate at all. The Budget may be placed on the table by the Member in charge who would say that we must accept it. After all it has to be accepted. We have no vote and no voice in the matter at all. Then what is the use of all these discussions? Place the Budget before the House and say it must be accepted. There ought not to be any discussion at all. And in lieu of that discussion we may be allowed a longer time between the introduction of the Financial Statement and the debate on it. At present we get about six or seven days to prepare our resolutions.

The Hon'ble MR. BEATSON BELL said :—

"Ten days."

The Hon'ble MR. RASUL said :—

"I may be very dull-headed, but 10 days are not enough. I tried my best, but I could not understand the intricacies of the figures within that time.

Mr. Rasul.

The Hon'ble Mr. Rasul—*contd.*

Therefore if we are allowed say about 15 days, we will be able to digest the matter and draw up resolutions. And during the debate of those resolutions, we have some power. We cannot only speak on them, but can also vote. Of course our resolutions are lost because the European non-official members think that in season and out of season they must support the Government—it doesn't matter whether the resolutions are right or wrong. I therefore make the suggestion that we ought to be allowed longer time so that we may introduce many more resolutions. Your Lordship has got considerable experience of the House of Commons. I have also had some experience—not of course as a member. I was a full-fledged member of the British Empire as I used to command three Parliamentary votes while in England—two as an M. A. of the Oxford University and one as a lodger and I used to take a good deal of interest in English politics. Owing to those votes I was somebody there, although I am hardly anybody in my own country. However, your Lordship knows the value of power and the value of criticism and if one has power to vote on the Budget items, one feels there is something substantial in it. Without any power, however, there is nothing in it. It is a well-known fact that there is no love lost between the members of the Civil Service and the Indian educated community whom we have the honour to represent here. It is no use hiding this fact. It is a fact and Your Excellency will know it by experience. The power of criticism without any power of voting simply embitters the feelings of both the communities and makes things not what they ought to be. Therefore, I submit, your Lordship should take into consideration my humble suggestion with regard to the Budget debate, *i.e.*, there should be no debate at all, but there should be longer time given to us for the introduction of resolutions on the Revised Financial Statement.

Now I want to say a few words about the Finance Committee. I may be pardoned for using the word "farce", but I have been told by some of the members of the Finance Committee that the procedure there is a real farce. On the 13th December we elected the Finance Committee. They met on the 14th and again on the 24th and that was all. The procedure there is that the member in charge brings forward a cut and dried Financial Statement and says "Gentlemen, here is the Financial Statement. If anybody wants to object to it Government will be at a standstill." And every member said ditto and that was the deliberation of the Finance Committee. I myself was not a member of the Committee but I heard it from friends who were in the Committee. No wonder that people look upon such a Committee as an absolute farce. I hope Your Excellency will look into the matter.

I do not know whether I shall be in order in saying something about the Dacca residence of the Government. My Hon'ble friend the Maharajadhiraja Bahadur of Burdwan has already referred to it. I do not know whether Your Excellency has already decided on going to Dacca. Last year there was only one sitting of the Council at Dacca. This year I was thinking of bringing forward a resolution to have at least four or five sittings at Dacca instead of no sitting at all as was suggested by my Hon'ble friend the Maharajadhiraja Bahadur. I do not want to enter into the political aspect of the question at all. But unless we know beforehand Your Excellency's decision with regard to Dacca, I shall certainly bring forward a resolution to have more than one sitting at Dacca. The exodus to Darjeeling has also been referred to and I do not think I need say much with regard to it. I think the opinion is absolutely unanimous, whether European or Indian, that this must be put a stop to. If the High Court Judges can stay in Calcutta during the hot season and discharge their duties satisfactorily, I do not see any reason why members of Government cannot also stay down. The waste of so much money should be put a stop to at once and we should consider

Mr. Arun Chandra Singha.

The Hon'ble MR. RASUL—*concld.*

later on as to what course we should follow in future regarding the Darjeeling exodus.

I regret I cannot conscientiously congratulate the Finance Member on the Budget. We find that the total estimated charges are in excess of the income by eleven lakhs and twenty-one thousand rupees. Now the leading principle by which all civilized governments are guided is that in normal times the Government should be carried on at the smallest possible cost and in abnormal times there should be strict economy and rigorous retrenchment in all branches of administration. But instead of that what do we find in our budget? Last year we spent Rs. 1,12,27,000 on Police, but this year we have got no less than Rs. 1,31,38,000. No doubt the extra expenditure is partly due to the detenus and for rewards for secret service. Now as far as the secret service is concerned, I think Scotland Yard——."

[At this moment the bell rang as the time limit had expired. The Hon'ble Member resumed his seat.]

The Hon'ble MR. ARUN CHANDRA SINGHA said :—

"My Lord, I desire to make a few remarks on the Budget for the year 1917-18. The expenditure under the head of "Law and Justice" is given as Rs. 1,30,46,000, and the receipts under this head and the provincial share of the receipts under court-fee stamps deducting the proportionate expenditure chargeable to that head amount to about Rs. 1,04,56,000. Therefore the loss to the Province for the next year on the head of Law and Justice will be about Rs. 25,89,000. This works out approximately to a fifth of the total expenditure under this head. I have also examined the figures given in the Budget for all the years from 1912-13 to 1916-17 and I find that there has been a loss in every one of these years, the minimum being one-fifth and the maximum running up to one-third of the total expenditure. The expenditure under the head of Law and Justice ought to be fully covered by the receipts provided for meeting it and I suggest that the Government of India should be approached in this connection with a view to having the basis of apportionment of the revenue under the head of Stamps revised, so that there may be no deficit under the head of Law and Justice in the future. If the Government of India sanction this, the revenues set free from being required to meet the balance of the expenditure under Law and Justice can be employed in other ways for the benefit of the Province.

The expenditure under the head of Police is the largest under any single head in the Budget. The proportion to the total revenue of the Province excluding the opening balance was approximately 1 to 7 in 1912-13 and it has risen to 1 to 5 for the year under discussion, the ratio of the increase being 5 to 7. If the assignments by the Government of India are not taken into consideration, the ratio of the increase becomes much higher. My Lord, where shall we find the means to meet it if Police expenditure goes on to increase in this manner? A fifth of our revenues as the cost of the maintenance of law and order in the country is exceedingly large. Notwithstanding the continuous growth of expenditure, crime in the Province has not appreciably diminished, and it will not diminish to any great extent if the Government do not try to improve the impoverished economic condition of the country which is one of the chief underlying causes of crime. The political discontentment in the Province, my Lord, it would be unwise for the Government to mistake for disloyalty. Discontentment is a sign of health. Humanity is progressing and outgrowing its environments every moment of its existence. "Discontentment is the first step in the progress of civilisation of a nation, as of an individual,' so has said a great English thinker. The present state of things in the country, my Lord, calls

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The Hon'ble MR. ARUN CHANDRA SINGHA—*concld.*

for a more sympathetic attitude on the part of the Government towards the natural aspirations of the people and not for a more rigorous policing of the country. As a preventive measure, however, against crimes of organised violence I would suggest that exemptions and licences under the Arms Act be more freely allowed to men of position and wealth, and I would include amongst the licencees members of municipalities, Local and District Boards and chowkidari punchayets.

The provisions for education and sanitation are not at all adequate to the needs of the Province. Female education does not receive the measure of support from the Government that it ought to. The cost of inspection under the head of Education has been a matter of frequent criticism in this Council. I again draw the attention of the Government to this and urge them to make inspection as little expensive as possible.

I am glad to find, my Lord, that in the Budget for the new year, provision has been made for the appointment of six additional district agricultural officers. I have personal experience of the good work some of these officers are doing. Agriculture is the staple industry of the country and it is right and proper that every effort should be made to improve it on modern scientific lines. I trust that at no distant date every district in this Presidency will have an agricultural officer and an experimental farm attached to it. I would suggest, my Lord, that the Agricultural Department should publish translations in the Bengali language of all its publications having any bearing on the improvement of agriculture for sale at popular prices to the raiyats.

My Lord, a large closing balance averaging about 3 crores of rupees is being carried over from year to year since 1913-14. The opening balance for the year under review is Rs. 3,26,79,000 and the closing balance is Rs. 3,15,58,000. This includes the minimum balance of Rs. 20,00,000, and earmarked allotments for special expenditures which have been kept in abeyance on account of the war. There is no likelihood of these earmarked allotments being regranted until the termination of the war. I therefore suggest that at least 2 crores of rupees be invested in the meantime in the new Indian War loan or in some other suitable manner and the interest realised be utilised in meeting the deficit of Rs. 11,21,000 in the budget for 1917-18."

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY said:—

"My Lord, we the *mufassal* people are perhaps more vitally interested in Sanitation, Primary Education and Agriculture than in any other item of the Budget and if we have any cause to be disappointed with it, we also fully recognise that there are many more items which from the exigencies of the State require a greater amount of attention and the expenditure on them can hardly bear to be curtailed even at the risk of disappointing an important section of the subjects, we accordingly take consolation for the present and pray to God Almighty that the cause of all this financial stringency may be soon removed and that the unflinching efforts of our Allies may be crowned with the only form of success that our cause justly demands and that in this mighty struggle He may help us, the people of Bengal, to do our bit and uphold our fair fame as loyal subjects of our beloved King-Emperor by all possible sacrifices on our part.

My Lord, disappointing though the Budget is in many respects, I cannot but express my heart-felt gratitude for the liberal way in which the item of Agriculture has been treated. Our present Budget under this head is nearly 60 per cent. in excess of what had been actually spent in the year immediately preceding the war and the allotments to all the important sub-heads such as

Kumar Shib Shekhareswar Ray.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY :—*contd.*

Agricultural Experiments, Seed Stores, Farms and Co-operative Societies have been steadily increasing. But twelve lakhs and twenty thousand is by no means an adequate sum to produce a marked effect in so big a province as ours and while hoping for better days when we will press our claim with the earnestness it deserves, now I would only like to put forward a suggestion before Your Excellency that the two important sub-heads, *viz.*, Cattle Breeding and Distribution of Agricultural Literature which have been totally neglected in the Budget may receive some consideration during the course of the year by way of some contribution from the sum which is at Your Excellency's disposal for petty grants. As for Primary Education, on which to a large extent depends the real progress of our rural population, though I see that very little can be done to improve the situation at present, yet I hope that some portion of the new Imperial Allotment will be devoted to the betterment of the prospects of the poor, ill-paid Primary School teachers who are entrusted with the difficult and onerous duties of educating our boys in the country. With regard to sanitation I only desire to point out that even what amount it has been possible to allot to this head may be distributed all over the province in an impartial and judicious manner. In this connection, I beg to draw Your Excellency's attention to the insanitary condition of the Rajshahi District, a full description of which has been given in the District Gazetteer just published. As I find that its learned author, Mr. O'Malley, whose kind and sympathetic action as Collector will be gratefully remembered by the people of Rajshahi, is now the Secretary in charge of this department, I am quite hopeful that our district will be benefited by his experience.

My Lord, I find with great pleasure that the Government are taking particular notice of our waterways and I hope that the Chief Engineer will give his usual sympathetic attention to the needs of the Rajshahi Division, where the great rivers like the Mahananda and the Atrai are in great danger of being silted up. I also desire to make a similar request to the Director of Public Instruction with regard to the vexing problem of Hostel Accommodation of the students at Rajshahi.

My Lord, I have finished the subjects in which as a rural landlord I am greatly interested. There is only one thing more and I shall finish. The Hon'ble Mr. Beatson Bell while presenting the Revised Financial Statement gave out that Settlement Operations involving an expenditure of Rs. 21,00,000 will be taken up this year in Bankura and Jessore. My Lord, Settlement Proceedings in permanently settled areas are a most unproductive work as far as the Government are concerned and even to the landlords and the raiyats their usefulness is very doubtful, nay almost negligible after a short while. Whatever importance might be attached to these proceedings by the Hon'ble Member opposite, these are certainly a kind of work which can wait. But this being to a certain extent an Imperial Expenditure, I am, perhaps, not in a position to discuss the subject here, so all that I now wish to do or is to submit to Your Excellency that since the landlords and the tenants shall have to pay the whole of this amount later on, it would have been showing a great consideration to their rights of citizenship if they had been consulted as to whether this is an opportune time for these operations. Bankura has of late suffered a great deal from floods and famines and I doubt very much if its people would like this extra burden thrown upon them at this time. Even from the point of view of the Government, this can hardly be said to be a suitable time for undertaking fresh operations; by postponing these till the end of the war not only would the Government have saved nearly a quarter of a crore of rupees but the people of the affected area would have been able to invest in the War Loan at least an equivalent sum, if not more. My Lord

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The Hon'ble KUMAR SHIB SHEKHARESWAR RAY :—*concld.*

I do not desire to be pessimistic but I will not be surprised if the contribution to the War Loan by the districts which have undergone Settlement Operations, do not come up to the expectations. With these few observations, my Lord, before I resume my seat I beg to associate myself with the remarks made by my previous speakers in reference to our retiring Vice-President the Hon'ble Mr. Lyon. The people of North Bengal who are supposed to be rather backward, will ever gratefully remember the kind treatment which our wants and aspirations always received at his hands. We the zamindars also have special reason to be grateful to him. From his very early days he has been known as a true and sincere friend of the zamindars. It is largely due to his exertions that the veterinary department has come into existence and has now proved of such great help and usefulness to our agricultural population. We all sincerely feel his retirement from our midst. I pray to God to grant him a long and healthy life to fully enjoy his well-earned rest.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, the Hon'ble Mr. Rasul has forestalled me in his remarks about the futility of these Budget discussions, and I will not repeat what he said. I have often wondered, in rising to take part in these discussions year after year, if there is anything in the British Parliamentary procedure which furnishes a parallel to the meaningless formality which goes by the name of budget debates in an Indian Legislative Council. To the outside public, the privilege of criticising, in the course of these debates, the broad aspects of Government policy is an important concession to the demands of educated Indians for an effective voice in shaping the policy of Administration and also in controlling the finances of the country. But to those who know, these budget debates seldom lead to anything better than mere waste of time. The practice of calling upon the non-official members of this Council to discuss an unchangeable and unalterable budget seems to be as much justifiable as that followed by a certain Deputy Magistrate who used to write out his judgments beforehand and then call upon the pleaders and mukhtear to argue the case. We are cordially invited to offer our criticisms, but we are told in the very same breadth that our discussions will have no more effect in changing one single digit in any figure in the Budget than the breeze of the numerous electric fans waving over our heads. I must say, my Lord, that the whole system is most humiliating to the non-official members of the Council, and these budget debates can only be regarded as the closing scene in an artistically contrived but meaningless show which only serves to bring into relief the hollowness of the position occupied by us in this Council. However, my Lord, half a loaf is always better than no loaf, and in this spirit and without any further complaint, I will proceed to make certain observations on the Budget.

I will begin, my Lord, with the budget allotments for expenditure on the police. I feel that it is a very delicate subject to deal with, because I know that there are officials who consider an adverse criticism of the Police Department as something amounting to blasphemy. There are those in high authority who think that the importance of the police force can hardly be overestimated, and that no expenditure is too high which is incurred on any schemes or projects having reference to the Police Department. I would only remind officials who hold this view that in spite of the real importance of this particular department, there is quite a possibility that this importance may be overestimated. I am reminded in this connection of a story which I heard of an old Nawab who, although overtaken by reverses of fortune, still continued to think that a highly paid and skilful cook was an indispensable necessity in his household. He was one of those ruined aristocrats, of whom we have a plenty all over India, living on the

The Hon'ble MAULVI FAZL-UL-HAQ :—*contd.*

memories of vanished prosperity, but devoid of any real sense of proportion in adjusting his expenditure to his reduced income or the changed circumstances in which he happened to be placed. The story goes that he was allotted a political pension of about Rs. 100 a month for his maintenance, and his friends advised him to frame a budget in order to suit his expenditure to his reduced income. After a good deal of discussion, he accepted the suggestion, but in proceeding to frame the budget he insisted on having a cook on a salary of Rs 50 a month. It was pointed out to him that Rs. 50 to spend on a cook would be out of all proportion to his other items of expenditure, and he was politely warned that if he were to spend this large amount on the pay of his cook, he may not have more than a few rupees to spend on his articles of food itself. But the old Nawab was unconvinced because, to his mind, a good and skilful cook was indispensable to any one laying any claim to nobility of birth or aristocracy. If I am pardoned, my Lord, I will say that the expenditure which Government propose to undertake on the Police Department bears almost the same proportion to the expenditure on other items of administrative necessity as the Rs. 50 set forth on the pay of the cook bore to the other items in the budget of the eccentric Nawab. There can be no doubt that the Police Department is one of the most important departments under the Government, but your Excellency will have to consider whether the allotment of over one crore and 34 lakhs is at all a reasonable expenditure to incur out of a total provincial expenditure of about 6½ crores. Roughly speaking, the Police Department will absorb 20 per cent of the total provincial expenditure and the rest of the 45 other departments, large and small, will have to be content with the balance of 80 per cent. Is this not paying too much for the cook ?

My Lord, the two principal functions which the police in any country can be called upon to perform are, the prevention and the detection of crime. I will not hesitate to say that as regards the detection of crime, the modern policeman in this country has been a most hopeless failure. I leave out of consideration the work done by the police in detecting what are called political crimes, for I can very well admit that in this particular matter the police officers are faced with a situation of extraordinary difficulty. I will even concede that in the detection of political crimes, the police officers have attained a remarkable measure of success in spite of uncommon and unprecedented obstacles. But in the work of detection regarding ordinary crime, the work of the police has been wholly unsatisfactory. I can hardly recall instances in which police officers have been able to trace unknown offenders by the exercise of what may be called a genuine and skilful detective ability. In the good old days, when the department had not become saturated with Western ideas of efficiency, police officers with genuine detective ability were not rare. But a mistaken policy of indescriminate and lavish expenditure on every item connected with the department has had a most demoralising effect on the force, and police officers of the present day are generally as much obnoxious to the people as a set of spoilt children are to the other members of a household. It is true that the police are now better paid, better housed and better fed, but they are undoubtedly a much inferior set of public servants than their predecessors of even a generation ago. Even the highest authorities have admitted their inferiority as detective officers. In his report on the Police Administration in the Bengal Presidency for 1912, the Inspector-General of Police wrote as follows :—

"There is a general consensus of opinion that, with few exceptions, the investigating staff possesses little detective ability. This is true to a very great extent, but I am decidedly of the opinion that it exists in a

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greater degree than is generally admitted. But it requires to be developed and trained, and it cannot be denied that this important subject requires more attention. The period of training at the college is too limited to admit of a thorough training in detective work, in addition to the many other subjects in which instruction is given. Moreover, the training at the college is merely a foundation: it does not undertake to turn out a finished detective or a police officer with nothing to learn' (*vide* Report for 1912, page 8, paragraph 10). My Lord, a police officer with genuine detective ability is now-a-days as rare as the *dodo* in Madagascar, and might well set naturalists to think whether any extant specimen is not really the very last of his species.

Let us now turn to the other phase of their function, namely, the prevention of crime. Here again I may say that the police officers have been anything but a success. I am reminded of a story in which a schoolmaster is said to have asked a boy in what respect a policeman resembles the rainbow. "Please Sir," said the boy. "The answer is very simple: both make their appearance after the storm is over." My Lord, in spite of the growing increase on the police department, crime of all kinds shows a remarkable tendency to increase, leading to a corresponding increase of work in the various criminal courts of the country. I find from the Administration Report of 1912-13 that the total number of criminal cases brought to trial during the year was 127,132 which was in excess of those of the figures for 1911 by no less than 9,816. The report says "that under the Indian Penal Code the increase was chiefly in offences affecting the human body" (2,155) (*vide* Administration Report for 1912-13, page 31, paragraph 102). During the year 1913-14 the total number of cases brought to trial was 133,095 which is in excess of the figures for previous year by 5,963. The report says "that under the Indian Penal Code the increase was chiefly in offences against property (2,316) (*vide* Administration Report for 1913-14, page 20, paragraph 99). During the year 1914-15 the total number of cases brought to trial was 137,625 which is in excess of those of the previous year by 4,530. The report says "That under the Indian Penal Code the increase was chiefly in offences against property (*vide* Administration Report for 1914-15, page 21, paragraph 90). It was only in 1915-16 that we were told that the total number of cases brought to trial was less than in the previous year by 940. The report, however, says "That under the Indian Penal Code the decrease was chiefly in offences affecting the human body (2,280) which shows that there must have been an increase of no less than 1,340 cases with regard to other classes of offences (*vide* Administration Report for 1915-16, page 20, paragraph 99).

We read, however, in the report "that serious crime of all kinds except rioting showed a considerable increase which was most marked in the case of offence against property. The cases of dacoity increased from 289 in 1914 to 653 in 1915: burglary cases from 30,294 to 39,812, and theft cases from 17,730 to 21,552."

My Lord, it becomes therefore a matter for deep regret that although large sums have been spent and are being spent on the police force of the Presidency, the upward tendency of crime to increase has hardly received an effective check. On the contrary it appears that with the increase in expenditure on the police force, there has been a corresponding increase in the number of offences and consequently the number of cases tried in the Criminal Courts of the Presidency. I do not therefore think I will be drawing a very violent inference from these facts when I say that the police have failed in this branch of their function, namely, the prevention of crime, just as much as they have failed in the other function, namely, the detection of crime.

Maulvi A. K. Fazl-ul-Haq.

The Hon'ble MAULVI FAZL-UL-HAQ :—*contd.*

My Lord, in closing his remarks on the Police while introducing this head of expenditure in the amended draft financial statement, the Hon'ble Mr. Lyon speaks of the admirable work that has been done by that force for the maintenance of law and order in the Presidency since the re-partition in 1912. We have read with great interest the high encomiums which the Hon'ble Mr. Lyon has passed on the police and also the eloquent utterances in the Imperial Council of Sir Reginald Craddock wherein he has eulogised the police force all over India. I have no doubt that the police in Bengal, and for the matter of that all over India, deserve all the praise that is justly their due, but I think it is a political blunder to force us to endorse the highly coloured and brilliant certificates that are given to the police by high officials from time to time. The people, it must be admitted, have got the right to judge also, and they have got their own views about the police. It is universally known that the officers of the force below the rank of Deputy Superintendents are a class of public servants whose proneness to corrupt practices and abuse of power has passed into a proverb. As often as the public raise their voice against the police so often do the officials persist in applauding them and it is no wonder that in this tug of war between indiscriminate praise and indiscrimate abuse, both sets of partisans are apt to go to extremes. In this connection I am reminded of the story of a boy at school who was one day being whipped by his teacher for negligence in his studies and general incapacity as a student. 'I have never seen a more stupid boy than yourself, you idiot,' said the teacher, 'you deserve to be whipped and whipped for being such a stupid boy.' 'Please sir' retorted the boy, 'you are very much mistaken; my father says I am clever, my mother says I am clever, my brothers and sisters all say I am clever and what is more, I myself think I am clever; how can I accept your statement that I am stupid.' My Lord, such is very-nearly the state of things as regards the divergent opinion of Government and the public on the men and officers of the Police Department. The public says that the police are corrupt and inefficient, but the highest officials say that they are good and efficient. Government resolutions say that they are good and efficient and what is more, the police officers themselves think that they are good and efficient; what does it matter then if the general public think that they are otherwise. My own impression is that it is as much incorrect to say that there is no blame which cannot be rightly attributed to the police as to maintain that the police as a body of public servants are so deserving, efficient and admirable that no praise for them and their work can ever be too high. As in almost all cases in which feeling is imported to colour a controversy, the truth lies between the two extremes of opinion. I say all this, because the Hon'ble Mr. Lyon sought to justify the abnormal expenditure on the police mainly on the ground of the unusually important and difficult duties performed by them. With the utmost deference to his opinion, I must say that I do not regard this as a sound point of view. There is nothing very extraordinary at all about the police and I therefore think that it is a great mistake to allow this particular department to absorb 20 per cent. of the total expenditure of the Presidency.

My Lord, so far with regard to the budget allotment for expenditure on the police. I regret that this unduly large expenditure on one particular department has necessitated the curtailment of expenditure on urgent measures of reform in various other departments of the public service. I notice with regret that there is no provision for an increase in the initial salary of that very deserving class of public servants, namely, the Munsiffs. Only the other day I brought up a resolution recommending an allotment for this purpose, but that resolution was defeated, although all the Indian non-official members present, except one, voted solidly for it. But though the

Mr. Eden.

The Hon'ble MAULVI FAZL-UL-HAQ :—*concld.*

resolution has been defeated. I sincerely hope that your Excellency will take this matter into special consideration. There is a feeling abroad that members of the Judicial Service never receive the same amount of attention as their brethren of the Executive services. There is a story of a small boy who had lost his mother while very young and who received an indifferent treatment from all the members of the family. When once asked as to his age he is said to have replied, 'Please sir, I do not know if I was ever born; all I remember is that I have only a step-mother.' My Lord, I do not believe that Government can ever make any invidious distinction between its different classes of officers, but the feeling that members of the Judicial Service receive a step-motherly treatment at the hands of Government cannot be conducive either to the best interests of the service itself or to those of the efficient administration of civil justice in this country.

My Lord, this is the fifth time I take part in these budget discussions, and in previous years I have devoted most of my time to the consideration of matters connected with the education of my own community. I have always used very strong language in urging the claims of my community, but up to now I find that I have almost spoken in vain. It was in 1913 that I first raised my voice as a protest against the policy of whittling down the grants in furtherance of schemes for the development of Muhammadan education in almost utter disregard of the claims of the community. I repeated my complaints year after year and I feel bound to say that it has been my lot to encounter nothing but disappointments throughout the term of my office in this Council. At the present moment, all recommendations in furtherance of Muhammadan education are generally vetoed on the ground that the financial conditions prevailing in consequence of the war require the exercise of the utmost economy in expenditure. Without discussing whether Muhammadan questions are not in some respects equally as important as questions of expenditure for the better housing of police constables and other kindred matters, I think I may respectfully ask Your Excellency to consider if this excuse could be held justifiable up to August 1914. There was then not only no war, but in reality a surfeit of available cash in the coffers of Government. It was nothing but dilatoriness that prevented Muhammadan questions from being handled with the promptitude and firmness that were necessary, and the result now is that the abnormal conditions brought about by the war have had the effect of postponing Muhammadan questions almost indefinitely. My Lord, the present presidency was reconstituted in April 1912 in pursuance of a grave wrong inflicted on an unsuspecting and loyal community.

At this moment the bell rang as the time-limit had expired.

The Hon'ble MAULVI FAZL-UL-HAQ said :—

"My Lord, may I have a few minutes to conclude."

The President said :—

"I am afraid I cannot allow that. The Hon'ble Member will understand that if I allowed it in his case, I should have to allow it in all cases. He will himself realize the impossibility of my doing that."

The Hon'ble Mr. E. B. EDEN said :—

"My Lord, I have only a very few remarks to make on the Budget which is now before the House.

The estimated deficit of Rs. 11,20,000 is not a very serious matter in provincial finance when we consider that the surpluses over and above the Estimates for the past two years have added the sum of Rs. 66 lakhs to the opening balance of the current year, and especially when we have been told

The Hon'ble Mr. E. B. EDEN :—*contd.*

that the current year's Estimates of Expenditure include several items of non-recurring expenditure amounting to Rs. 31,63,640.

Looking at the totals of the Estimated Receipts and Expenditure for the current year there does not appear to be any serious falling off in Revenue or any very serious increase in the total of Expenditure, and the position may be taken to be one of temporarily arrested progress due to the exigencies of the war and to a wise and cautious 'marking time' until the war is over.

I listened with great interest to the appeals made by Hon'ble Members at the discussion of the Revised Financial Statement, when they asked that provision might be made for various matters in which they were interested on behalf of their constituencies, and there was one resolution which appealed to me more than others, and that was when the Hon'ble Babu Ambika Charan Mozumdar moved that further provision should be made for dredging the Kumar River and referred to the necessity and the importance of improving the communications with the Bheel Route Canal.

In this connection, my Lord, I should like to take the opportunity to refer to the Grand Trunk Canal Project which is now under consideration and which has for its object the provision of a shorter and more easily navigable route for inland steamers and boats between Eastern Bengal and Calcutta than that at present in use *viâ* the Sundarbans. The carrying out of this scheme will have such a far-reaching effect on the greater usefulness of the rivers of Eastern Bengal that I trust nothing will be allowed to interfere with its consideration and its early adoption, so that no time may be lost in proceeding with it when finances are available.

In addition to the great advantages which this Grand Trunk Canal will confer on the districts and waterways of Eastern Bengal, I believe it will bring immense and hitherto scarcely realised advantages to this City of Calcutta.

It will not merely benefit the Shipping Companies and the Merchants of Calcutta who have dealings with Eastern Bengal and Assam, not merely the people on the new water-borne trade route and the far-off places served by it, but it will, I have reason to believe, improve the conditions of traffic on the River Hooghly by reducing the congestion in the highway for ocean-going ships. It will enlarge the area of Calcutta by reclaiming pestilent swamps, extending building sites for industrial and manufacturing areas well served by road, rail and water, and also extend indefinitely a new suburban area that the Improvement Trust and the Corporation might well bear in mind and utilise for the health and convenience of future generations who are destined to live in this City. I fervently hope that no time will be lost in the materialisation of such an admirable and beneficent project.

The outstanding feature of this Budget is the amounts which have been allotted for improving the Police organisation of the province and in providing for its necessities. This is a matter which has been too long deferred and is now imperatively necessary. I trust, when the war is over and finances are more elastic, that the full scheme for the reform and improvement of this very necessary department of good Government, in which a beginning has now been made, will then be proceeded with.

Many Hon'ble Members have objected to the expenditure on Police and Administration and have advocated that the money allotted to these objects should be spent on other objects, notably on Sanitation and Education.

Sanitation, my Lord, is a matter of extreme importance to the health of the community: irrigation and the provision of canals and waterways is of

The Hon'ble Mr. E. B. EDEN :—*concld.*

similar importance to the prosperity of the community: education is absolutely necessary for the social development and progress of the community: but, before we can advance either of these highly necessary objects, we must secure Law and Order.

The Police are entrusted with the safety and the protection of the lives and property of the whole population of this province, both in Calcutta and in the Mufassal, and yet there is no doubt that the whole Force, particularly in the middle and lower grades, is woefully underpaid.

Indian Gentlemen and Indian Newspapers are continually finding fault with the Police. Cases of extortion and corruption are often brought to light, which to a large extent justify this criticism: but how is it possible for any reasonable man to expect that a Force composed of the class of men from which the rank and file are recruited, should be able to withstand the temptation of increasing their meagre incomes by illicit methods when undoubtedly there is often opportunity of doing so without much chance of detection?

With these few remarks, I beg to commend the Budget to the acceptance of Hon'ble Members."

The Hon'ble BABU AKHIL CHANDRA DATTA said :—

My Lord, the discussion of a truly war budget cannot be very interesting or profitable. A policy of severe retrenchment has been laid down. At a time of such financial storm and stress the departmental budgets should be pruned to the utmost extent and strict economy observed in the general administration of the country. The question, therefore, naturally arises whether, judged by this test, the Budget under discussion is one upon which we can congratulate the Hon'ble Finance Member. Does it satisfy the test of rigid economy? The only verdict which a careful and honest student of the Budget before us can pronounce is that it does not contain any traces of economy. My contention is that wasteful, if not reckless, extravagance is the one outstanding feature of the Budget. In order to substantiate my position it is necessary to enter into a minute and critical examination of the Budget.

But here I feel that we non-official members labour under a great disadvantage. The materials placed before us are not sufficient for obtaining a real insight into the details of the Budget. The departmental budgets form the real foundation of the Budget presented before the Council but for reasons which it is difficult to appreciate these departmental budgets are not vouchsafed to us. Last year, my Lord, the Hon'ble the Maharaja Ranajit Sinha of Nashipur complained about this and an assurance was given in a most solemn manner by the Hon'ble Mr. Beatson Bell that "as soon as departmental budgets were printed, copies would be obtained on application by any Hon'ble Member." Acting on this assurance I asked for the departmental budgets for the last two years but was told in reply that they were not available. Thus we are kept in blissful ignorance of the essential details of the Budget. My Lord, we are shown only the crust of the Budget—not the kernel of it: we are shown only the exterior of this monumental edifice, but we are not allowed to cross the threshold and even to have a peep into the vast and complex interior. In fact, my Lord, we are treated like so many outcastes and untouchables before an orthdox Hindu temple. To invite a discussion of the Budget and at the same time to withhold all information from us is, to say the least, to treat us very unfairly. Having given us the right to move resolutions on the Budget and having invited us to criticise the same, the Government, I maintain and I claim, is in all fairness bound to give us all reasonable facilities for properly

The Hon'ble BABU AKHIL CHANDRA DATTA—*contd.*

performing the very responsible duty thus entrusted to us. Is it fair, I ask, to call us to a very responsible office and at the same time to place such obstructions as are calculated to make it impossible for us to be useful either to the Government or to the people? Permit me, my Lord, to say that it is something like a hide and seek game, taking away by the left hand what is given by the right. Our right to discuss the Budget is a mere illusion. There is no reality about it. Our right to move resolutions on the Budget is a shadow without a substance. And to add insult to injury, will your Lordship believe that during the last year's budget debate a responsible member of the Government taunted the non-official members with the remark that they practised the art of oratory in the budget meeting?

Now to come back to my point.

In the absence of fuller materials we must content ourselves with a superficial study of the Budget. What do we find? There has been absolutely no retrenchment of cost of general administration in any department whatsoever. Will anybody lay his finger on any particular item and say that the normal expenditure has been curtailed? My Lord, you have announced your intention to cut down the luxuries of the Government House. We have, however, looked in vain for any such tendency in the Budget before us. So far as the current normal expenditure is concerned, there has been no reduction at all. On the contrary we find that the cost of administration has been raised by leaps and bounds. We have got an additional Legal Remembrancer at an additional cost of three-quarters of a lakh. We have also been given an Additional Secretary and Under-Secretary in the Political and Appointment Departments at a cost of considerably over half a lakh.

Economy, like charity, should have begun at the home of the Finance Minister and we might legitimately except some retrenchment in his own Department: but he seems to have nothing but supreme contempt for such copy-book maxims and, with a courage of conviction which defies not only public opinion but also the general principle enunciated by the Supreme Government, has created the post of an Additional Under-Secretary for the Financial Department. But you cannot charge the Finance Member with any thing like partiality to his own Department. For has he not made a larger grant for fees to pleaders in criminal cases in mufassal amounting to nearly half a lakh? The Bench and the Bar are parts of the same machinery and the former also must, therefore, come in for its own share of the overflowing surpluses and accordingly we find provision made in the Budget for one temporary District and Sessions Judge and two Subordinate Judges who will not cost us more than half a lakh. Several other new appointments have been created, but what is the good of multiplying instances? Having created numerous new posts, high and low, during the pendency of the war, it is only in the fitness of things that we should give new buildings to the new officers and their establishment. Accordingly the Budget provides the very modest sum of a quarter of a crore of rupees for new buildings. Out of this more than half is given to the Police. About 4½ lakhs is set apart for buildings in connection with the partition of Midnapore and Mymensingh, 3 lakhs devoted to the quarters for servants of the Medical College Hospital; Rs. 40,000 for quarters of servants of the Bethune College; Rs. 15,000 for quarters for the Subdivisional Officer of Gopalganj; another Rs. 15,000 for pony track from Didhiajhora to the Panighil suspension bridge. We have also got over 2 lakhs for the construction of new steam launches for the River Police and over three-quarters of a lakh for the construction of new thana launches. But, my Lord, the above does not exhaust the list of new and additional expenditures proposed to be undertaken in the year 1917-18, I have enumerated

The Hon'ble BABU AKHIL CHANDRA DATTA—*contd.*

only some of them. At pages 5—10 of the Financial Statement we find a list of the new schemes of a more or less petty nature. They relate mostly to the creation of new posts, increment of pay, new allowances, conveyance allowances, purchase of boats, etc. The non-recurring charges on account of these schemes amount to about 17 lakhs, and the recurring charges to over 2 lakhs. But these are, after all, humble and modest schemes compared with the more ambitious new schemes which it is proposed to undertake during 1917-18. These also relate mostly to the creation of new posts and entertainment of new officers and increment of pay. The non-recurring charges on account of these schemes amount to about 11 lakhs and the recurring charges to close upon 12 lakhs. Some of them may be urgent, but certainly most of them are not of any immediate and pressing urgency. The Empire is in the throes of a life and death struggle. Is it, my Lord, the psychological moment to increase expenditure of administration to such an enormous extent as I have indicated above? Is it the proper time to have more officers and more men in all departments? Is it the most opportune moment to invest money in bricks and mortars? New buildings will no doubt add to the comfort of our officers and men; surely we do not grudge this comfort. But the question arises:—When your Lordship is seriously contemplating to forego many of the ordinary luxuries of the Government House, is it graceful for our different departments to insist upon these new comforts at this critical moment? Should our officers be fiddling when the Empire is burning? Can't they wait till the termination of the war? Is it the rigid self-denial insisted upon during the period of storm and stress? No, my Lord, the Budget is not self-denying—it is selfish to a degree. It is not a war budget and I cannot conscientiously congratulate the Finance Minister upon the Budget presented by him.

I propose next to dwell upon another aspect of the Budget. Rightly or wrongly, the Budget provides for numerous new schemes as I have stated above. The question is—is there due correspondence between the different departments in which they are proposed to be introduced? Year before last in the provincial expenditure, the main savings that could be effected were under education, sanitation and police. Last year it was found impossible to provide for the re-grant of unexpected balances of Imperial grants for education, sanitation and police. So the three departments of education, sanitation and police were accorded the same treatment during the last two years. But a remarkable departure has been made this year. Education and sanitation remain in the cold shade of neglect, but there has been an enormous increase in the police charges. The schedule of new schemes costing over Rs. 5,000 in any one year makes a most startling disclosure. Out of the total non-recurring charge of close upon 11 lakhs, over 8½ lakhs are appropriated by the numerous police projects, whereas education, sanitation and medical departments have received not a *cowrie*. These non-recurring charges are, however, only the thin end of the wedge, inasmuch as the recurring charges involved in these new schemes are close upon one lakh more than the non-recurring. Out of this recurring charge not a *cowrie* goes to sanitation; less than half a lakh is given to education; more than 10 lakhs being appropriated by the police. It should be remembered that this is over and above the grant of 12 lakhs and 65 thousand for new police buildings. Add to this the minor police schemes enumerated at pages 6—9 of the Financial Statement, the non-recurring charges of which amount to close upon one lakh and recurring charges to over three-quarters of a lakh. The question, my Lord, is, is this a fair allotment? My complaint is that whatever money there is at the disposal of the Government should have been proportionately distributed between education, sanitation, police and other progressive departments.

The Hon'ble BABU AKHIL CHANDRA DATTA—*contd.*

My Lord, the Budget should, as I said at an earlier stage of the Budget discussion, reflect the popular wants and wishes. I do not think there is anybody in this House, official or non-official, who will question this fundamental doctrine Let us see, my Lord, if the Budget under discussion satisfies this essential test. Now, what is the position? There were as many as 34* resolutions moved by the non-official Indian members asking not for money exceeding the estimate of expenditure but for the transfer of some money from one head to another. But excepting one resolution all the rest were opposed by the official benches. Some of these resolutions had the unanimous support of all the non-official Indian members. Even the latter did not receive better consideration at the hands of the Government. It is obvious, my Lord, that the Budget would have been considerably and substantially different if the tax-payers of this vast province had any control over their own money and had any voice in the shaping of the Budget. The representatives of the people were unanimous in their demand for the transfer of some money to education and sanitation from some other heads, preferably the head under Police. If we had any real and substantial votes to give, if the authorities responsible directly or indirectly for the Budget had any reason to care for the approval and support of the people, may I ask, my Lord, if the wishes and feelings of the popular representatives would be so contemptuously disregarded? Why on earth should their wishes and views be so summarily brushed aside? Did they—I ask in all seriousness,—did they, my Lord, propose anything of a revolutionary character? Did they propose any drastic and radical change in the constitution or method of the Government? Did they propose anything which was, as a matter of principle, essentially unacceptable to the Government? If not, why should their resolutions be received with such contumely? The Hon'ble Finance Member and his associates may or may not see eye to eye with us in these matters, but is that a sufficient justification for opposing tooth and nail all these resolutions—even those relating to minor details and involving small costs? One or two or more of the non-official members may not be able to see things in their true perspective and may make suggestions and recommendations which my Hon'ble colleagues on the other side of the House sincerely think will not conduce to the real interest of the people—nay I shall concede for 'argument's sake' that some of the non-official members may be perverse in their judgments. But can it be said very gracefully and reasonably that all the popular representatives of different shades of opinion have entered into a great conspiracy against the Financial administration and have taken a vow to bring up resolutions which will not promote the real interests of the people? Will any body say that the bureaucracy know more about the country and its people, their needs and requirements, their wants and wishes than the non-official members whose weal and woe are bound up indissolubly with those of the people? Is it suggested that when we plead the cause of the people we merely shed crocodile tears? Are we mere birds of passage in this country? Have we no abiding interest in the people and their welfare? My Lord, it is high time that public opinion should be consulted in the matter of the Budget and in all important matters. It is high time that greater respect should be shewn to the views of the non-official members. Permit me, my Lord, to make the following quotation from the reply of Mr. Chamberlain to the Lancashire Deputation :—

'India is changing rapidly. Lord Lansdowne spoke of the rapidity of the changes 20 years ago. They have been infinitely greater in the last 20 years. We have called Indians to our Councils in increasing numbers. They will take their share and play their part in the Government of India, but if you call them into your Councils, if you invite them to take the part for

* The number was 38.

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which they are qualified and to which they are entitled in the government and development of their country you must have patience with their views even when you think they are mistaken. You must deal tenderly with the matters in which they are vitally interested and you must be willing to listen and when you can to grant their wishes.'

At the commencement of Your Excellency's rule, my Lord, I shall take the liberty of saying this on behalf of the 10 millions of people whom Providence has committed to your charge :—

'Have patience with our views even when your Lordship thinks we are mistaken ; deal tenderly with those matters in which we are vitally interested ; be willing to listen to us and to grant our wishes if they are not of a revolutionary character ; draw up a programme of reforms and improvements, it may be a moderate and modest programme, but have by all means a cut-and-dried programme ; reform our council ; spread education ; make primary education free and compulsory so that the homes of His Majesty's Bengali subjects may be brightened and their labour sweetened ; make our towns and villages sanitary ; give us more and more share in the government and development of our country ; so that when at the end of five years your Lordship will lay down the reins you may be able to reflect with satisfaction within yourself.

'My programme is carried through ; my duty is done ; I am leaving Bengal and her people more advanced and more contented than I found them.' "

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI said :—

" My Lord, the various aspects of the Budget have been discussed by other Hon'ble Members at great length, and I do not wish at this stage to lengthen discussion by needless reiteration. But I shall bring forward the question of education in so far as it interests the Muhammadans.

Nearly a fortnight ago I moved a resolution in the Council for the establishment of a Muhammadan Arts College in Calcutta. I did so because of a widespread feeling amongst Muhammadans of the Province that something ought to be done for the advancement of Muhammadan education if the Muhammadans wish to take their proper place in this country. Muhammadans as a rule have suffered greatly for want of proper training and education, and whilst they have been making tremendous efforts to improve their lot, others who are better fitted than they have made gigantic strides in different directions. We must by some means or other make up the ground that we have lost, may be by our own faults or may be by the fault of others. But it is very doubtful that we can achieve the object without the sympathy and support of the Government.

Situated as the people are in this country in relation to the Government, it is impossible for us to take the initiative in any direction without the help of the Government. It is for this reason that we, who represent the people and specially those like myself who represent the Muhammadans, feel it our duty to bring forward before the Government these specific proposals for taking steps for the benefit of our community. It is a matter for great regret that in spite of our repeated attempts and insistent demands we have not up till now succeeded in persuading the Government in taking our view of the situation or in adopting our solutions of the problem.

Disappointed as we are in many respects we cannot afford to keep quiet or to allow ourselves to adopt a quiescent attitude in matters which vitally

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affect our interests. We must, if we are right, go on insisting till our demands are satisfied. The problem of education, my Lord, is to-day the biggest problem in India. Much will depend on how we face the problem. It is no doubt the duty of everyone to suggest the means of improvement, if there are any. But I repeat my assertion that the initiative must come from the Government. I fail to see any indication that the Government have tackled the problem seriously. We have had the announcement lately from His Excellency the Viceroy in his Convocation speech in Calcutta that he proposes to establish a commission to inquire into the various phases of the educational system of this country. We appreciate this timely intervention of the Viceroy in such an important matter; and we do hope that some good will come out of this step. But you will pardon us, my Lord, if we do not appear to be as enthusiastic in supporting this measure as the Government would like us to be. It may be that the circumstances of the case require a thorough and searching investigation into the whole system of education in this country. But we cannot help having doubts about its utility in view of the fact that several commissions which have reported on various branches of administration in this country have not resulted so far in a definite change in the policy or administration of the Government. It is for this reason that we thought it desirable to submit our own plans for the acceptance of the Government, although we knew that very shortly a commission was going to be appointed.

I do not see any reason my Lord, why the appointment of a commission should stand in the way of the establishment of a Muhammadan college in Calcutta. As far as I know it is not in the terms of reference of that commission to discuss or decide whether sectarian colleges should or should not be established in any province. All that the commission would be supposed to deliberate on will be to consider the facts that prevail in, and principles that guide, the educational system in this country independent of the question of the establishment of sectarian colleges or universities. They will not be concerned with colleges and endowments so much as with the methods of teaching and the principle and policy of administration through Government control on the one hand and the University supervision on the other.

If the Government had seriously thought of establishing a Muhammadan college in Calcutta they would have found means for doing so in spite of the fact that they had to retrench in many departments on account of the war. We feel heartily grieved for the indifference that the Government has shown in this matter, and we shall take the earliest opportunity again to ventilate our grievances in order to persuade the Government to take this necessary step.

Next in importance to education comes the crying evil of the insanitary conditions prevailing in this province. We are surprised to find, my Lord, that out of a budget of over six crores of rupees only a sum of two lakhs and-a-half is earmarked for expenditure under the head "Sanitation." Out of this Rs. 50,000 again will be spent on Dr. Bentley's scheme for flooding malarial areas. With all due deference to Your Excellency's government I must submit that in a province like Bengal the expenditure of only 2 lakhs of rupees for sanitation is rank injustice to the people. We, who are pained and shocked at the slaughter of millions in Europe to-day, do bestow but little attention on the devastating influence of the terrible scourges that kill the poor inhabitants of the soil by the thousands and hundred of thousands. In this matter the Government have a responsibility which is not a mean one. Education and sanitation should be the first

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charges on the revenue of the province. For a Government to spend the contemptible sum of 2 lakhs of rupees for sanitation is clearly a dereliction of duty on the part of the Government. My Lord, three-fourths of the population of this country depend for their living on agricultural pursuits. It is the imperative duty of the Government to look to their welfare. One of the ways in which the British Government has justified itself is that they have claimed that they have been the friend of the poor. For what the Government have done for the poorer sections of the community the Government may justly be proud. But I venture to submit that in the circumstances in which the Government officials are placed nowadays there cannot be that close touch and that human sympathy between the rulers and the ruled, which is necessary for the proper understanding of the feelings and wants of the people. A vast proportion of the people are an inarticulate mass who have not the power to appeal or to respond. This has been one of the chief reasons why the Government sometimes have undertaken or allowed others to undertake thoughtless and injurious schemes which have adversely affected the interests of the agricultural population. Often it has been found that the alignment of a railway line has been placed in such a way or bridges built which by their direct or indirect effect on the soil or produce of the neighbouring places have ruined the poor cultivators. The Sara-Serajganj line is one instance that I can readily point to. Is it not desirable in the interests of the agricultural population that some means should be found to allow them to represent their views in this Council? It has been the principle in this country to allow the people to represent their separate interests in the legislative assembly. We have for instance representatives of zamindars and others. In all fairness poor cultivators can demand that they should have their representatives as well. We hope that Your Excellency will suggest to the Imperial Government some measure for removing the great-felt want. I hope I will not be misunderstood, and I do not wish to bring discredit on any member of this Council, when I say that there are not many in the Legislative Council who really understand or are thoroughly conversant with the needs and requirements of the agricultural people. They have their special interests which require special treatment. The majority of the educated people of this country come from the wealthier and the middle classes.

Although they have a natural desire to do their utmost for the welfare of their country they often evince a half-hearted sympathy for proposals which, although very important from the point of view of the cultivating class, are not directly concerned with the special interests which they represent. But if they were called upon to represent, specially the separate interests of the agricultural people, they would feel it their duty to acquaint themselves with the circumstances of these people and work for the betterment of their conditions in the Council and outside it."

The Hon'ble Dr. Nilratan Sarkar said :—

"My Lord, I am grateful for the grant of Rs. 3,50,000 to the Belgatchia Medical College. I am also grateful for the provision of Rs. 1,96,000 for medical education in other medical schools and colleges in Calcutta; but I feel that no budget for medical education will be complete without a provision for training village practitioners in Bengal. I may draw the attention of this House to a very important resolution which was accepted last year by the Government of India and which was moved by my freind Dr. Banerjea in the Imperial Legislative Council in this connection. The proposal, however, I am sorry to say, had not met with the support here that it deserved. We have also to remember that we require 43,000 practitioners in Bengal at the rate of one practitioner for a thousand souls. In England, there are 30,000

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI—*contd.*

affect our interests. We must, if we are right, go on insisting till our demands are satisfied. The problem of education, my Lord, is to-day the biggest problem in India. Much will depend on how we face the problem. It is no doubt the duty of everyone to suggest the means of improvement, if there are any. But I repeat my assertion that the initiative must come from the Government. I fail to see any indication that the Government have tackled the problem seriously. We have had the announcement lately from His Excellency the Viceroy in his Convocation speech in Calcutta that he proposes to establish a commission to inquire into the various phases of the educational system of this country. We appreciate this timely intervention of the Viceroy in such an important matter; and we do hope that some good will come out of this step. But you will pardon us, my Lord, if we do not appear to be as enthusiastic in supporting this measure as the Government would like us to be. It may be that the circumstances of the case require a thorough and searching investigation into the whole system of education in this country. But we cannot help having doubts about its utility in view of the fact that several commissions which have reported on various branches of administration in this country have not resulted so far in a definite change in the policy or administration of the Government. It is for this reason that we thought it desirable to submit our own plans for the acceptance of the Government, although we knew that very shortly a commission was going to be appointed.

I do not see any reason my Lord, why the appointment of a commission should stand in the way of the establishment of a Muhammadan college in Calcutta. As far as I know it is not in the terms of reference of that commission to discuss or decide whether sectarian colleges should or should not be established in any province. All that the commission would be supposed to deliberate on will be to consider the facts that prevail in, and principles that guide, the educational system in this country independent of the question of the establishment of sectarian colleges or universities. They will not be concerned with colleges and endowments so much as with the methods of teaching and the principle and policy of administration through Government control on the one hand and the University supervision on the other.

If the Government had seriously thought of establishing a Muhammadan college in Calcutta they would have found means for doing so in spite of the fact that they had to retrench in many departments on account of the war. We feel heartily grieved for the indifference that the Government has shown in this matter, and we shall take the earliest opportunity again to ventilate our grievances in order to persuade the Government to take this necessary step.

Next in importance to education comes the crying evil of the insanitary conditions prevailing in this province. We are surprised to find, my Lord, that out of a budget of over six crores of rupees only a sum of two lakhs and-a-half is earmarked for expenditure under the head "Sanitation." Out of this Rs. 50,000 again will be spent on Dr. Bentley's scheme for flooding malarial areas. With all due deference to Your Excellency's government I must submit that in a province like Bengal the expenditure of only 2 lakhs of rupees for sanitation is rank injustice to the people. We, who are pained and shocked at the slaughter of millions in Europe to-day, do bestow but little attention on the devastating influence of the terrible scourges that kill the poor inhabitants of the soil by the thousands and hundred of thousands. In this matter the Government have a responsibility which is not a mean one. Education and sanitation should be the first

The Hon'ble Mr. M. Ashraf Ali Khan Chaudhuri—*concld.*

charges on the revenue of the province. For a Government to spend the contemptible sum of 2 lakhs of rupees for sanitation is clearly a dereliction of duty on the part of the Government. My Lord, three-fourths of the population of this country depend for their living on agricultural pursuits. It is the imperative duty of the Government to look to their welfare. One of the ways in which the British Government has justified itself is that they have claimed that they have been the friend of the poor. For what the Government have done for the poorer sections of the community the Government may justly be proud. But I venture to submit that in the circumstances in which the Government officials are placed nowadays there cannot be that close touch and that human sympathy between the rulers and the ruled, which is necessary for the proper understanding of the feelings and wants of the people. A vast proportion of the people are an inarticulate mass who have not the power to appeal or to respond. This has been one of the chief reasons why the Government sometimes have undertaken or allowed others to undertake thoughtless and injurious schemes which have adversely affected the interests of the agricultural population. Often it has been found that the alignment of a railway line has been placed in such a way or bridges built which by their direct or indirect effect on the soil or produce of the neighbouring places have ruined the poor cultivators. The Sara-Serajganj line is one instance that I can readily point to. Is it not desirable in the interests of the agricultural population that some means should be found to allow them to represent their views in this Council? It has been the principle in this country to allow the people to represent their separate interests in the legislative assembly. We have for instance representatives of zamindars and others. In all fairness poor cultivators can demand that they should have their representatives as well. We hope that Your Excellency will suggest to the Imperial Government some measure for removing the great-felt want. I hope I will not be misunderstood, and I do not wish to bring discredit on any member of this Council, when I say that there are not many in the Legislative Council who really understand or are thoroughly conversant with the needs and requirements of the agricultural people. They have their special interests which require special treatment. The majority of the educated people of this country come from the wealthier and the middle classes.

Although they have a natural desire to do their utmost for the welfare of their country they often evince a half-hearted sympathy for proposals which, although very important from the point of view of the cultivating class, are not directly concerned with the special interests which they represent. But if they were called upon to represent, specially the separate interests of the agricultural people, they would feel it their duty to acquaint themselves with the circumstances of these people and work for the betterment of their conditions in the Council and outside it."

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"My Lord, I am grateful for the grant of Rs. 3,50,000 to the Belgatchia Medical College. I am also grateful for the provision of Rs. 4,96,000 for medical education in other medical schools and colleges in Calcutta ; but I feel that no budget for medical education will be complete without a provision for training village practitioners in Bengal. I may draw the attention of this House to a very important resolution which was accepted last year by the Government of India and which was moved by my freind Dr. Banerjea in the Imperial Legislative Council in this connection. The proposal, however, I am sorry to say, had not met with the support here that it deserved. We have also to remember that we require 43,000 practitioners in Bengal at the rate of one practitioner for a thousand souls. In England, there are 30,000

The Hon'ble DR. NILRATAN SARKAR—*contd.*

practitioners for 30 millions of men. We have 15 millions of men and women here, and if we take up the responsibility for medical aid we require 43,000 more practitioners, considering that the Surgeon-General has got on his list 2,000 at the present day. He proposes to make up the deficiency by admitting 50 additional students to each of the existing medical colleges at Dacca and Sealdah. It is purely a question of arithmetic and one can easily calculate the time that it will take to fill up the gap. On the other hand, the scheme involved in Dr. Banerjea's proposal is quite a simple one. It suggests that some medical schools of a modest standard should be started in connection with some existing hospitals, not necessarily in Calcutta, but in some of the mufassal towns, for instance, Dacca, Chittagong and Rajshahi. The staff being recruited from amongst local practitioners, such schools can give not only sound practical education within narrow limits, but a thorough training to a large number of village practitioners within a course of three years. To me the scheme appears to be sound in principle, feasible in practice, highly economical and necessary and quite suited to the conditions of Bengal. Against this scheme, however, the Government scheme is to train a small number of highly qualified medical men in highly expensive medical schools through a four or five years' course and through the medium of the English language which has recently been adopted on the recommendation of the Council of Medical Registration. Well, the objections raised against our scheme are chiefly three. One is that medical education cannot be conducted through the medium of the vernacular language. My answer to that is quite simple; for the last sixty years we have been training hundreds and hundreds of students through the medium of the vernacular language. I am a Bengali and I know well the capacity of the Bengali language. I have trained hundreds of men through the medium of the Bengali language. I do not know why we should invoke the aid of the English language for giving medical training in Bengal. I must say, however, that the Bengali language is making very great and rapid progress. Are we to believe that with their marvellous progress in other departments, it is degenerating or getting torpid in one direction, *i.e.*, of imparting medical knowledge through its medium? I cannot explain the riddle. Whatever that may be, I must say that a great blow has been dealt to the growth of the vernacular medical literature by the action of the Council of Medical Registration.

Another argument which has often been reiterated is this: that the Medical Council of Great Britain do not accept for registration a man who has not passed through a four or five years' course in any medical institution; and that they would naturally expect training through the medium of the English language. May I ask whether it is possible for the Government to flood the country with 43,000 medical men with five years' training after the Matriculation examination even in the course of half a century? If not, what arrangement is proposed to supply the thousands of villagers who are suffering from cholera and dysentery. The Council of Medical Registration of England should not supply medical aid; they may refuse registration, but are the thousands of quacks, who are now occupying the field, registered? The first necessity is to save human life and to relieve human suffering, and what arrangement is proposed to meet these, before you can prepare the 43,000 medical men through the regular course of five years. The fact is that this country must have a very large supply of moderately qualified medical men as soon as possible. I may be permitted here to quote a few words of Col. Hendley, once Inspector-General of Civil Hospitals, Bengal. He said in 1899:—

'Unfortunately it is impossible to have a graduate of a University or a Licentiate in Medicine and Surgery in every village. The country is too poor,

Dr. Nilratan Sarkar.

The Hon'ble DR. NILRATAN SARKAR—*contd.*

but we may have Civil Hospital Assistants, and for this reason and in order to avoid malpractice and scandal, we should see that they are well trained, and likely to become, though it may be within narrow limits, thoroughly reliable men who could be trained to treat all ordinary cases or cases of disease or accidents.'

My Lord, this is not the first time that the lower medical education was proposed to be raised and restricted. On former occasions the Government had to refuse sanction to the raising of the initial qualifications on the ground, as they put it, that as the vernacular medical schools supplied cheap rural practitioners, a higher initial standard might result in the supply of good rural practitioners or might induce to raise the scale of fees as they will have more practice among wealthy classes and less among the poor, who in that case would be left to the unlicensed practitioner, for which Dr. Banerjea's proposal seeks to provide. In fact, the Government have always been ready to do anything that will make their services costly to the villagers with an average income of Rs. 27 and, according to the late Mr. Gokhale, Rs. 20 a year.

The third argument is that when a large number of medical men with English qualifications is available, why go in for a lower standard. My answer is that if it is possible to train a large number of persons with high English qualifications, and if money be forthcoming for that purpose, these men will naturally require high remuneration for their services. We must also remember the fact that we do not prepare these men for the towns, but for the villages, where remuneration is often paid in kind and not even in money. So, the ideal village practitioner must always identify himself completely with the villager; otherwise, he has no place there at all. Highly trained men—trained according to the Hon'ble Surgeon-General's new scheme—may be very good men as University graduates, but they are too high for the villagers, who cannot afford to pay for their services. If that were not so, I would have been the first person to advocate that standard as the lowest and minimum standard for medical education in Bengal. But the circumstances of Bengal are quite different. I have already said that on account of the inadequacy in number and also on account of the high standard insisted upon the Surgeon-General's scheme is sure to be a failure so far as the thousands of disease-stricken indigent villagers are concerned. But there is a larger question involved in this matter, and that is a question of giving employment to a large number of unemployed middle class youths. This question, I believe, has been emphasized by some of the District Officers, and the idea is that many of those that are unemployed in villages might find suitable employment in medical practice after a moderate course. Such moderate medical education, I submit, must be imparted through the medium of the vernacular language in schools of moderate standards, and not in highly expensive schools in Calcutta or Dacca. If the proposal involved in Dr. Banerjea's scheme be accepted, it will not only facilitate the supply of medical aid to the poor villagers in the distant mufassal, but also go a long way to solve one of the most important problems of Bengal. I believe the Government will not grudge a few thousand rupees at least to perform an experiment in this connection.

Under head Scientific and Miscellaneous there are two items of paramount importance to the Presidency, viz., the two entries of expenditures, Director of Industries Rs. 30,000 and the lump grant of Rs. 50,000. These with the addition to another sum of Rs. 71,000 for fisheries make all that is allotted to industries here, whereas the allotment for this purpose in a sister presidency (Madras) is 9·25 lakhs. This is particularly disheartening when we remember the feverish activity with which most people are now

Dr. Abdulla-al-Ma'mun Suhrawardy.

The Hon'ble DR. NILRATAN SARKAR—*concld.*

pushing their industries. I do not say that Government alone can do all that is necessary in this connection. But I believe that Bengal can do much more than what she is doing now if she gets the advantage of proper guidance. In these days it has become an impossibility to develop industries without the help of Government. We look with admiration to what the Governments of Madras and the United Provinces are doing in this connection. While each of these provinces has got departments that organise emporiums, museums, bureaus, chemical laboratories, demonstration factories and render help to industries in various other ways, we here have only an unsanctioned proposal for the appointment of a Director of unknown competence and sympathies. And the allotment of Rs. 30,000 for the Director and Rs. 32,000 out of the Rs. 50,000 will very likely remain unutilised. We are told that everything in this connection must stand still, pending the report of the Industrial Commission. But the Commission is working for Madras and the United Provinces also and how are these Governments spending money in this connection.

I may be permitted to allude to the activities of the department in these provinces.

In the United Provinces glass, perfumes, bangles, leather, paper pulp, dyes, hosiery, matches, cotton spinning, chemical, metal wires, alcohol, furniture industries were vigorously pushed by the Department. Some of these like glass bangles industry and the indigenous dye industry were able to displace and replace the competing foreign industries to a great extent. In Madras, the department has solved the problem of lime-brick making, pencil making, oil fuel furnace for glass making, paper pulp making, oilpressing and soap manufacture.

Besides in the United Provinces there are eight technical schools that are controlled by Government and besides these seven district weaving schools and peripatetic weaving schools that receive financial aid from Government. In Madras apart from the Government Technical Institute there were 37 Industrial Institutions. There is no question that many of the industries in Madras and the United Provinces have received an impetus from the Industrial Boards. We have some industries struggling here in Bengal."

The Hon'ble DR. ABDULLA-AL-MA'MŪN SUHRAWARDY said :—

"My Lord, for some time past education has occupied the first and foremost place in the thoughts of Moslem leaders anxious for the moral and material regeneration of their community. It has been the favourite theme of discussion of the Mussalman members of the Council in the past. Two projects have been, with reiterated insistence, pressed upon the attention of Government—(*a*) the Muhammadan Arts College, and (*b*) extended hostel accommodation for Moslem students in Calcutta.

Although I am aware of the fact that the project for the establishment of a Muhammadan Arts College has received the sympathy and support of Government, or rather the imprimatur of its sanction, I would be failing in my duty if I do not give frank expression to my opinion on the subject. I must confess that I am not in love with the scheme which is the pet project of some of the Moslem members and with which even the Director of Public Instruction seems to be fascinated.

(1) In the first place I am strongly opposed to the multiplication of colleges and schools in the heart of a congested town like Calcutta. I do not see any special advantage in encouraging students to leave the calmer and serener atmosphere of the mufassal and flock to Calcutta, where the cost

The Hon'ble DR. ABDULLA-AL-MA'MŪN SUHRAWARDY—*continued.*

of living and education is twice as high as in the mufassal, and where the snares and pitfalls for the young and the inexperienced are innumerable.

(2) Secondly, though a staunch believer in the principle of communal representation to which I owe my presence here to-day, I am not a believer in it in matters of education in the sense that we should have separate educational institutions of our own. The disadvantages of purely denominational institutions are too obvious to require enumeration. Colleges and Schools are the training grounds from which we emerge into the battlefields of life, where no protection, no preferential treatment, no assistance by the State can avail against strong and powerful adversaries. Students of denominational institutions, unaccustomed to strenuous efforts to overcome strong competitors of a different nationality, will have to face their adversaries for the first time on entering the battle of life and it would be a wonder of wonders if they escape defeat and annihilation from their opponents.

Moreover, the cause of Moslem education in the past has not suffered for want of a denominational college. The most distinguished Indian Moslem graduates, from the Right Hon'ble Syed Ameer Ali to the Hon'ble Nawab Sir Syed Shams-ul-Huda, are the product of mixed colleges. Indeed, the honour of claiming the former as one of its pupils belongs to a college in the mufassal.

The Muhammadan Arts College is a fascinating ideal, but when disillusionment follows, I would not be surprised if those, who are anxious to-day to stand sponsors at its birth, do not become its most violent critics and hurl denunciations at the authors of the scheme.

In these days of financial stress when the necessaries of yesterday are fast becoming the luxuries of to-day, in the scheme of development and stimulation of the intellectual life of the Moslems, the Muhammadan Arts College would be the luxury of luxuries.

The cause of Moslem education can be better advanced by affording Moslem students such facilities as would enable them to avail themselves to the fullest extent of the advantages of Western education in the existing arts and professional colleges, the doors of which are being gradually closed on them. A more liberal award of stipends and scholarships to students in the various stages of education—primary, secondary, collegiate, post-graduate—tenable in all the educational institutions, may yield to the community a harvest of men of which the nation may well be proud. The best intellects of the race fade and wither away before the chill blast of poverty and penury—'the rathe primroses that forsaken die neglected in the shade.' With the aid of stipends and scholarships deserving young men may pursue their studies of Law, Science, Medicine, Engineering and Commerce and qualify themselves to follow a profession and a career.

In the existing Arts and professional colleges, however, 50 per cent. of the total number of places should be reserved for Moslems to be thrown open to non-Moslems after a certain date if Moslems be not forthcoming.

Obsessed with the one idea of the Arts College, its advocates have lost sight of the importance of scientific, technical and professional education.

نخواهم اجرم نعمت نه در دنیا نه در جنت
همي گویم بهر ساعت چه در سرّا چه در ضرّا
که یا رب مر سنائي را صنائع ده تو در حکمت
چنان کز رے برشک آید روان بو علي سینا

Dr. Abdulla-al-Ma'mūn Suhrawardy.

The Hon'ble DR. ABDULLA-AL-MA'MŪN SUHRAWARDY—*continued.*

'I do not seek reward neither in this world nor in the next. But I repeat every moment whether in weal or woe, O Lord! bestow on Sanai such pre-eminence in knowledge and science as to excite envy even in the soul of Aviconna.'

My Lord, these beautiful lines voice the noble aspirations and lofty ideals of Moslem scholars of bygone days—the palmy days of Islam when the splendours of Cordova, Granada, and Bagdad attracted students from the four corners of the globe and illumined the darkness which lay around. Those days are gone for ever and the noble ideal of pursuit of knowledge for the sake of knowledge is unsuited to our times. We live in a practical age, and we demand a tangible reward and a substantial return for our labours. In this commercial age, my Lord, I need hardly tell Your Excellency that Moslem education must move with the times. Technical education is the great problem of the day. While the Hindu community is striving for the economic and industrial development of the country, the Muhammadans are still sleeping the sleep of ages. Their deep slumber is only broken by the fitful dream of the Arts College.

If the Muhammadan College comes into existence I should like it to be located, not in Wellesley Square but somewhere in the suburbs, far from 'the madding crowd's ignoble strife,' in some healthy, quiet, sequestered locality removed from the baneful influences of the metropolis which often go to blast many a brilliant career and bring death and sorrow to many a peaceful home.

I invite the attention of Government to the sovereign importance of encouragement of female education amongst Muslims. The Prophet has expressly declared the acquisition of knowledge by Muslims, male and female, to be a sacred duty.

The intellectual renaissance and regeneration of our race can never be achieved if we do not lift up the veil of ignorance which separates the sacred precincts of the zenana from the world of light.

The extension of hostel accommodation for Moslems is a commendable project and the claims of a community, which represents 52·3 per cent. of the total population, on the amount set apart for hostel accommodations are obvious.

In the head 'Annual stipends to holders of literary titles', I see the recognition by Government of the well-known belief in India that the goddess of learning and goddess of wealth cannot dwell together. I wish to see an extension of this principle and invite the attention of Government to the desirability of encouraging literary pursuits by the award of a number of literary pensions to Hindu and Muslim scholars.

From literary to political pensions is a natural transition and my thoughts travel to the descendants of Tippu Sultan, the sons and grandsons of his late Majesty Wajid Ali Shah and those of the Nawab Nazims of Bengal. I do not know whether their pensions come from the Imperial or Provincial Revenue. But I do know that they dwell in our midst and within our Presidency and the pensions of some of them have whittled down to the barest of pittance. The cost of living has enormously increased since the outbreak of war, but there is no corresponding increase in the pensions. I do not forget that this is hardly the time for increase of expenditure, but I also do not forget that the war, whilst it calls for economy in certain directions, necessitates, on political grounds, an increase of expenditure in others. The claims of the house of Nizamat on the special consideration of Government are matters of history.

Dr. Abdulla-al-Ma'mūn Suhrawardy.

The Hon'ble DR. ABDULLA-AL-MA'MŪN SUHRAWARDY—*continued.*

My Lord, it is sad to contemplate the fortunes of the scions of the royal houses of Murshidabad, Mysore and Oudh in these evil days, and I hope and trust that the broad statesmanship of a farsighted and large-hearted Government would not permit, even in these days of democracy and revolutionary ideas, the maelstrom of adverse circumstances to sweep away the pillars of Muslim aristrocracy, and engulf in utter ruin the bulwarks of loyalty to the British Crown in Bengal.

As the Philological Secretary of the Asiatic Society of Bengal, I note with satisfaction that the revised estimate under head 'Donations to Scientific Societies' includes a larger grant to the Asiatic Society of Bengal. I know that a monthly grant of Rs. 300 is made by Government for a Sanskrit scholar, connected with our Society, for the promotion of Sanskrit learning A similar grant to the Asiatic Society for the encouragement of research into the domain of Islamic literature, antiquities and history by some distinguished Mussalman scholar would be welcomed by the community.

There is one other topic to which I would invite Your Excellency's attention—the paramount importance of the publication by Government of translations of authentic works of Muslim Law That distinguished jurist and patron of learning, Sir Asutosh Mookerjee, at the Annual Meeting of the Asiatic Society, Bengal (February 1915), presided over by His Excellency Lord Carmichael, delivered an eloquent address, in which he made out a strong case for the encouragement by Government of the study of Islamic legal literature. He pointed out how, dazzled by the brilliant work accomplished in the domain of Muslim Law by distinguished scholars of France, Germany and Sweden, the Right Hon'ble Syed Ameer Ali expressed the hope that 'the British Indian Government in the midst of its executive and administrative pre-occupations may find time to take into consideration that most important question, the administration of the Mussalman Law, which has supplied the Muhammadans of India with a substantial cause of grievance, together with the expediency of following the example of the French Government in Algeria and providing the Indian judiciary with authorized translations of the *Fatawa Alamgiri*, the *Raddul Muhtar*, the *Mabsut* and other works of like standing.' He further emphasised the paramount duty of the Asiatic Society to take the lead in the initiation and accomplishment of this great undertaking, to enlist the sympathy and co-operation of scholars and to secure the necessary financial assistance from an enlightened Government. The keen interest evinced by the eminent Brahmin did not end with his speech. He has at last secured for the University an endowment of Rs. 25,000, made at his instance by the Salehji Brothers, for the publication of Texts and translations of authentic works on Muslim Law. A grant from Government to the Asiatic Society, Bengal, or the University would supplement the noble efforts of Sir Asutosh Mookerjee and further advance the cause of Muslim legal literature.

My Lord, the shadows of war still darken the West. The world-wide conflict still continues to tax to the utmost the resources of the Empire and calls for the greatest sacrifice from its peoples. It is obvious, therefore, as indicated by Your Excellency the other day, that the realisation of our hopes and aspirations of administrative progress and reforms must be postponed till the successful termination of the war—the triumph of civilisation, justice and humanity over the forces of barbarism, lawlessness and crime. In these days of storm and stress, when important and necessary measures cannot be carried out for lack of funds, fain would I have followed the golden rule of silence. But I am anxious to place my views before the Council when Your Excellency has still the benefit of the valuable advice, guidance and assistance of a distinguished lawyer, far-sighted statesman and accomplished scholar, thoroughly

Mr. Hornell.

The Hon'ble DR. ABDULLA-AL-MA'MŪN SUHRAWARDY—*concluded.*

conversant with our needs and requirements, our hopes and aspirations, and our virtues and failings.

I leave it to others to lament over shattered dreams, unrealised ideals, blasted hopes, unfulfilled aspirations, broken pledges and unredeemed promises. Impressed by the striking difference between the past and the present I pause for a moment to determine the cause of the remarkable change which has recently taken place in the attitude of Government towards Moslem questions.

As the only Mussalman member in this Council who has the unique privilege of having been in the Councils of four successive rulers of Bengal—in the Council of the last of the Lieutenant-Governors and in that of the first of the Governors of Bengal, I venture to think I am in a position to state that never did questions and problems affecting the rights and interests of our community receive that amount of attention and consideration which they received during the term of office of your illustrious predecessor. The reason is not far to seek. On the eve of his departure His Excellency Lord Carmichael himself told representative deputations of our community what we owed to the Hon'ble Nawab Sir Syed Shams-ul-Huda. And as the representative of the Mussalmans of the Presidency, Burdwan and Orissa Divisions in the first Council under the Reform scheme and as the representative in Your Excellency's Council of the Mussalmans of the premier division of Bengal, I avail myself of this opportunity—perhaps the last in this Council Chamber—to offer our tribute of thanks and gratitude to the Hon'ble Nawab Sir Syed Shams-ul-Huda for all that he has done in these troublous times to advance the best interests of the Mussalmans who have "fallen on evil days and are with darkness and with danger compassed around."

The Hon'ble MR. HORNELL said :—

"My Lord, on the 31st of March 1916, there were in Primary and Secondary Schools and in Colleges in Bengal about 1,730,000 pupils. This meant roughly that 42 out of every 100 boys of school-going age and 8 out of every 100 girls of school-going age were receiving instruction in these institutions. Of the above total about 76·4 per cent. were in the primary stage of instruction; about 22·3 per cent. in the secondary stage and about 1·3 in colleges.

In England and Wales there were, in the year 1913-14, 6,288,846 students in Public Elementary and Secondary Schools (*i.e.* those Secondary Schools which came within the purview of the Board of Education) and in University Colleges. No less than 96·5 per cent. of these students were pupils of Public Elementary Schools, 3·08 per cent. only were pupils of Secondary Schools, while ·42 per cent. only were in University Colleges. If you deduct the half-time scholars, the result is 2·9 per cent. of the total number of students in Secondary Schools and ·1 per cent. of the students in University Colleges.

Turning to expenditure a sum of Rs. 37,72,76,449 was spent in 1912-13 on Public Elementary Schools in England and Wales. The contribution from the Treasury and from the rates amounted to 37 crores and 39 lakhs. The money spent during that year on such secondary schools as come within the purview of the Board of Education was 3 crores and 45 lakhs. Of this amount 2 crores and 15 lakhs came from what we should call in India public funds. The total expenditure on University colleges in England and Wales were 1 crore and 11 lakhs, and the contribution from public funds was 5 lakhs only including all the stipends paid by the Board of Education on account of students, who were being trained to be teachers of Public Elementary Schools at institutions of University standing.

Mr. Hornell.

The Hon'ble Mr. Hornell—*continued.*

In 1915-16, 13 lakhs were spent on primary schools in Bengal, of which 20 lakhs came from public funds. Eighty lakhs were spent on secondary education, of which 15 lakhs came from public funds. Twenty-six lakhs were spent on University Colleges, of which 12 lakhs came from public funds.

The income from endowments on University colleges in England and Wales excluding the great Universities of Oxford and Cambridge amounts to nearly 2½ crores. The income which comes to colleges in Bengal from all private sources other than fees is about 1¾ lakhs.

Now these figures make it quite clear that in Bengal compared with other countries the amount of money spent on primary education is out of all proportion to the amount spent on other grades of education. Perhaps in the peculiar conditions of India as the British Raj found it, this was inevitable. I do not even say that the policy which produced these results was not without some justification. But what seems to me to be absolutely beyond dispute is that if the demands of the masses for education are to receive serious attention, new and vast sources of revenue must somehow or other be made available. There will clearly have to be some sacrifice somewhere. Twenty lakhs may seem a very small sum to spend on primary education, but it looms fairly large when you compare it with the 12 lakhs which are being spent annually from public funds on collegiate education. If the better-to-do people of India are really becoming conscious of their responsibilities towards the masses, now is surely not the time to talk of reducing the cost to the recipients of University or secondary education; rather I should have thought that it was time to be clamouring for endowments.

It seems to me that it is above all incumbent on those who are concerned with educational administration to examine the whole system with a view to deciding whether there is not some waste somewhere. I would invite the attention of all who are seriously interested in the problem of education in Bengal to Education General Table X, which is attached to the last quinquinnial review of educational progress in this Presidency. This table shows that there were on the 31st March 1912, 1,540,636 students in all the various stages of school education, from the lowest section of the infant standard to the Matriculation class. The analysis of the table reveals a number of rather startling facts. In the first place more than 51 per cent. of the total number of pupils were in the infant stage and nearly 39 per cent. were in the lowest or most rudimentary section of the infant class. The primary stage of instruction extends over two infant classes and four standards, and the percentage of pupils in the primary stage to the total number of pupils works up to over 40 per cent It is also quite clear from the table that there is a tremendous exodus of pupils after the 3rd primary standard. The figures are 132 000 as against 65,000—a reduction of more than 50 per cent. After that the figures become more stable. Even so, 47,000 pupils who entered the 5th standard, *i.e.*, the 1st class of the Middle Department, were reduced to 20,000 by the time the 1st class of the high division was reached; and this number was further reduced by 10,000 by the time the Matriculation class had been attained. Let us trace the fortune of these pupils a step further. In 1912, 4,161 candidates passed the Matriculation Examination from schools in Bengal, 2,437 students from colleges in Bengal passed the Intermediate Examination either in Arts or Science two years later, and last year 1,792 candidates from the Bengal Colleges passed the B. A. or B. Sc. examination. It thus took 20,000 boys who started the High School course as pupils in schools recognised by the University of Calcutta as fit to prepare and submit candidates for the Matriculation Examination, that is to say, boys who definitely started out to prepare themselves for and presumably to take up,

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if possible, University courses, to produce 1,792 B. A. or B. Sc's. I will not take up the time of the Council with reflections on these figures, but it certainly seems to me that there is a very bad leakage somewhere, that primary schools are not fulfilling their function, that boys, whose needs would be fully met by primary schools, are crowding into middle schools, while those whose wants the middle school course would satisfy, are crowding into the high school classes irrespective of their capacity to go through the course. The educational ladder is all very well, but if you get such a tremendous crowd on lower rungs that those who ought to rise are kept back or even jostled off altogether, the ladder is not a very useful instrument for ascending. So much then for the general problem of education.

I now turn to the detailed criticisms which have been offered. The Hon'ble Rai Radha Charan Pal Bahadur has asked us what is going to be done to improve primary schools in Calcutta. He says that the wheels of the Government coach move very slowly. The problem, as I have said before, is a very difficult one. Some little progress has, I hope, been made. The position is this. The Municipality has considered the whole question and it has resolved that it will when opportunity offers endeavour to raise by loan money for the construction of primary schools on the understanding that the primary schools thus constructed would be maintained by grants received from Government. The Hon'ble Member has said that he has heard of many surveys being made. Possibly but no practical survey has as yet been effected. The Inspector of Schools in the Presidency Division is now having maps prepared of the whole of the Calcutta Municipal area, showing what schools there are, both primary and secondary, and indicating on this map with reference to the population, what primary schools should be erected, when funds are available.

I have nothing further to add with reference to the criticisms made except to say that the same Hon'ble Member is mistaken in saying that no provision is made in Western Bengal for *zanana* education. As a matter of fact, there are 37 *zanana* teachers working in Western Bengal, and that happens to be exactly the same number as are working in Eastern Bengal."

The Hon'ble NAWAB SIR SYED SHAMS-UL-HUDA said :—

"My Lord,—I must thank Hon'ble Members for the attention which they have always paid to the branches of administration with which I have been specially connected—I mean local self-government and sanitation. They have kept us busy with questions at all times and have moved numerous resolutions with reference to the different aspects of these questions and these discussions have often been very profitable.

In the course of the discussion to-day the greatest attention has been paid to the question of sanitation. In fact every Hon'ble Member, barring one or two, who have taken part in to-day's debate has drawn attention to the inadequacy of the provision for sanitation. There is one fact which requires to be stated and attention has already been drawn to it by my Hon'ble colleague, Mr. Beatson Bell, and that is that 2½ lakhs budgetted for sanitation represents only the amount required for sanitation of urban areas. Rural sanitation is in charge of the District Boards and they cannot complain that they have not got sufficient funds to do all that they think necessary in this direction, for in recent years they have got the whole of the Public Works cess assigned to them. Last year the additional income from this source came up to nearly 33 lakhs and if they choose, so far as village sanitation goes, they can do a great deal with this money. The complaint has always been that District Boards have neglected sanitation and several Hon'ble Members have

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drawn attention to the fact that they have spent most of their money on roads. I may tell my Hon'ble friends that this is a matter which did not escape the attention of Government, and on the 12th of March last, we issued a circular to all the Commissioners of Divisions drawing attention to this aspect of the administration of District Boards. We said in the last paragraph of this circular :—'The Governor in Council deprecates the tendency to devote to communications large sums in excess of both the road cess receipt and the augmentation grant and desires to reiterate the desirability of utilising the Public Works cess for the objects mentioned in Mr. Samman's letter referred to and specially for the improvement of water-supply,' so that the paramount interest of water-supply in rural areas has not escaped the attention of Government.

As regards the question of water-supply in Municipal towns, no doubt the smallness of the budget provision will affect these areas. There was a time when we had more money to spend on urban sanitation than we knew how to spend, and at that time, municipalities were slow in asking for Government contribution because they knew that whenever they asked for Government contribution Government would ask them to pay a certain proportion of the total cost. There are now a large number of schemes which probably could have been executed if we had more money, but having regard to the direction of the Secretary of State that no new expenditure was to be undertaken and no new schemes were to be financed unless they were likely to be immediately remunerative or were of immediate and imperative urgency. Having regard to these orders we have to economise our resource and we choose between different schemes, and after careful consideration we could only finance such schemes which appeared to us to be extremely urgent, leaving the other schemes for the time when this financial stringency will have disappeared and I hope that time is not far distant. This is a question which we had to discuss several times a few days ago when a number of resolutions were brought up before the House on the budget provisions, and I do not think that I need repeat all that I said then. I may, however, say that the criticisms are to a great extent just, but my friends will realise that the circumstances are exceptional and they must wait for some time before they can have all the money that they require for sanitation, and I may assure them that when that time comes, we will have as much money as is necessary for the purposes.

Some Hon'ble Members, especially the Hon'ble Rai Radha Charan Pal Bahadur, have asked for information regarding Dr. Bentley's experiment regarding malaria. I am glad to have this opportunity of placing before the Council the various schemes which he is now trying to experiment upon. The first is a scheme for flooding an agricultural area in Burdwan which will affect 20 villages. The cost is estimated at Rs. 7,000. The second is a scheme of flood or flush drainage of the town of Jangipur which is estimated to cost Rs. 30,000. Its main features are as follows :—

'The general level of the town is a little below the ordinary flood level of the river, the inhabited portions being situated on artificially raised ground. During the rainy season flood water will be admitted through all the drains, and a series of existing tanks and low lands which will become partially flooded will be well inundated. When the river level falls, the accumulated water will be allowed to flow back again to the river, scouring all the drainage channels through which it passes. This is an attempt to restore the natural system of flow and scour.'

The third is a scheme for subsoil or underground drainage of an area of half a square mile in radius in Jalpaiguri district known as the Meenglas scheme,

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originally which was estimated to cost Rs. 13,700, but in the revised estimates has been raised to Rs. 23,000. The idea is to put the hill streams which come down in flood during the rains, underground. There is also another scheme for under-draining and flushing of a river bed near Raneeganj in the district of Burdwan called the Singaram scheme, originally estimated to cost Rs. 30,000, but which has been reduced in the revised estimate to Rs. 13,000. Some Hon'ble Members have made reference to the fact that the sum of Rs. 30,000 only has been budgetted for these various schemes and have expressed the apprehension that the money may not suffice. As to that, I can assure my Hon'ble friends that we are very keen about these experiments, and if more money is required, we will certainly do our best to meet the demand, and that these experiments will not be allowed to suffer for want of funds.

The Hon'ble Rai Radha Charan Pal Bahadur has enquired as to the constitution of the Indian Research Fund Association. The objects for which the Association is established are the prosecution and assistance of research, the propagation of knowledge and experimental measures generally in connection with the causation, mode of spread and prevention of communicable diseases. The Hon'ble Member in charge of the Department of Education of the Government of India is the President of the Association as well as of the governing body, which consists of various Government officials. The officer in charge of the Malaria Bureau and several others are also members. The members of the association are of two classes, namely, permanent and temporary. The President and members of the governing body and every donor of Rs. 5,000 and upwards are permanent members. All subscribers of Rs. 100 and upwards are temporary members. This is the association which has made a grant of Rs. 50,000 in aid of Dr. Bentley's experiments.

Some Hon'ble members have made a reference to the fact that during the last few years we have not given the District Boards the full amount of the augmentation grant. This was the question that was raised by one of the Hon'ble Members of this Council by a resolution in which he asked the Government to make the grant without any deduction. I pointed out to him the method of calculation which resulted in the gradual diminution of the amount of the augmentation grant, and I do not think that I need enter into the explanation again. I promised, however, that we would give from this year to the District Boards the full amount of the augmentation grant, and if we did not find it possible to pay the whole money, I said that the deficiency of this year will be made up next year. I think that this ought to satisfy Hon'ble Members who are keen on augmenting the resources of District Boards. I have been criticised because I then stated that this augmentation grant represented the generosity of Government towards the District Boards. I still adhere to that statement. It is not the generosity of the Provincial Government but of the Government of India who made a permanent assignment to the Government of Bengal for augmenting the resources of the Boards. The Government of Bengal had a share in that generosity because they had to find the difference between the fixed assignment and the increased grant from year to year by reason of the increase in the receipts on road cess. A claim has also been put forward that not only should we pay the whole of the augmentation grant from this year, but we should also pay what we have not paid during the last two years. I am sorry that I cannot make any such promise. As I said then it is a matter of generosity for the Government, for all District Boards and Local Boards are expected to stand on their own legs and to carry on their normal expenditure with their normal income. Therefore, I am sorry that although we intend to pay the full amount of the augmentation grant, we can make no promise to make good the short payments that were made during the last few years.

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The Hon'ble Rai Radha Charan Pal Bahadur has criticised the Budget by saying that originally we budgeted a very much larger sum for the augmentation grant, but that the actual expenditure was very much less. There seems to be some misapprehension in my Hon'ble friend's mind. What happened exactly was this: the amount of augmentation grant was budgeted without a full realisation of the growth of revenue from the road cess and it was found that according to the calculation that was then in vogue a smaller sum was due to the District Boards. Because the calculations were wrong the amount has been cut down.

Some Hon'ble Members have asked what has been the effect of the appointment of sanitary inspectors in improving the health of the areas of which they were placed in charge. I may remind my Hon'ble friends that the Sanitary Officers' Bill was passed only about three years ago, and that it was gradually extended to different divisions of this Presidency and that the Health Officers and Sanitary Inspectors have been appointed in some of the municipalities only very recently. It is therefore premature to pronounce an opinion as to the effect of the appointment on the general health of the municipalities. At the same time I believe and Hon'ble Members will themselves understand that the situation is bound to improve when there is a person with medical qualifications in important municipalities, to look after the sanitation of the municipal area which used to be greatly neglected before these officers were appointed.

One Hon'ble Member has asked Government to make over to the District Boards the whole of the proceeds from ferries. I may tell my Hon'ble friend that we do not recognise that the District Boards have any claims whatever to the ferry receipts. The ferry receipts form a part of the provincial revenues, and this Government cannot, without the sanction of the Government of India, assign any part of the provincial revenues—we were told this by the Government of India many years ago. They however said that they would not object to such transfer, provided it is accompanied by the transfer of an equal amount of expenditure borne by provincial revenues. I cannot therefore hold out any hope of the ferry receipts being made over unconditionally to the District Boards, and as the District Boards have now got such a large income the ferry receipts will not appreciably increase their resources.

Reference has been made to the question of increasing the pay and prospects of the Munsifs. When a resolution was moved in this Council in connection with the Budget to increase the pay of the Munsifs I pointed out that the question was under the consideration of the Public Services Commission, that they had made their recommendations and these recommendations were under the consideration of the Government of India, and that this Government could not prejudge the matter and were waiting for the decision of the Government of India. That is exactly the position now; the Government of India have promised to deal with these recommendations expeditiously, and I think that when that is done, the position will be found to be quite satisfactory to the members of the Judicial Service. I then said—and the statement has been criticised—that the recommendations of the Public Services Commission are on a more liberal scale than the recommendations in the resolution which was moved in Council. I said that to give partial relief to the Munsifs would prejudice them, because if some relief was given the Government of India might say that some relief had only recently been given to them they might wait. I think that that was a reasonable statement and the criticisms that have been offered are not just.

On the subject of the Muhammadan Arts College and more hostels for Muhammadans, I think I have spoken on this subject about a dozen times,

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and I do not think it would serve any useful purpose if I were to go over the same arguments over again.

These are the more important matters which have been raised in the Budget discussion, and I have very little more to say. I must express my grateful thanks to the Hon'ble Rai Radha Charan Pal Bahadur, the Hon'ble Dr. Sarbadhikari and the Hon'ble Dr. Suhrawardy for the very kind and complimentary terms in which they have referred to my services as a member of the Executive Council."

The Hon'ble MR. LYON said :—

"My Lord, I need only intervene in this debate for a few minutes, as many of the matters concerning the Departments which I control have been dealt with very fully in the discussion of recent resolutions in this Council. But with reference to these resolutions I think I must raise a protest against the description of our proceedings which was given by the Hon'ble Babu Ambika Churn Mazumdar. He has stated that with the exception of one, all the 38 resolutions which were brought forward were 'stubbornly resisted and rejected' by Government. I think I shall carry the Council with me when I say that this is hardly a correct statement. A large number of these resolutions were withdrawn by those members themselves who had brought them forward, after they had listened to the satisfactory statements—as they described them to be—made by the members of Government on the subject. I may assure Hon'ble Members also that we have made a very careful note of these resolutions and that the discussions relating to them will certainly bear fruit. As to the question of the Police, we dealt with our proposals so fully in the course of the debates on the resolutions that I have little more to say. One Hon'ble Member objected to what he considered to be the somewhat indiscriminate praise lavished by me on the police. But I am consoled by the fact that, if I heard aright, he himself confessed to something in the nature of indiscriminate abuse. Well, my Lord, I am quite prepared to let my praise stand for the deliberate consideration of the Hon'ble Member himself and other Hon'ble Members of this Council and I believe that time will show that that praise was justified.

The Hon'ble Maulvi Abul Kasem has asked whether the results achieved justified the proposed expenditure I would invite the Hon'ble Member's attention to the fact that the main expenditure is of a new kind, for the provision of improved accommodation and new buildings for the police. This being the case, I would suggest that we must wait until the expenditure has been incurred before we can look for results. We are commencing to improve buildings and to provide adequate accommodation for our police, and for the reasons which I previously gave to this Council at length, we have confidence that we are doing much to improve the work and the efficiency of the police in adopting this policy. I would myself gladly see larger expenditure on education and sanitation, but we cannot hope for progress until, as the Hon'ble Mr. Eden has observed, we have secured law and order and are in a position to maintain internal peace. We have great arrears to deal with in this matter, and we must persevere in disposing of these arrears before we can willingly reduce this item in the Bu lget.

I should like to add a few words to those of my Hon'ble colleague in charge of the Judicial Department on the subject of the pay of Munsifs. I have myself been greatly interested for many years in the status and prospects of the members of the Provincial Judicial Service, and I believe that the members of that service will not fail to acknowledge the fact that in Eastern Bengal and Assam I was instrumental in securing for them some

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considerable alleviation of the difficulties in which they found themselves on the formation of the Province. And I have been anxious to forward their interests in many ways. It was for that reason that I was glad that we were able to defeat, by my casting vote as President, a well-meant attempt to help the Munsiffs which was recently made in this Council, as it was clearly in their interests that this resolution to which I refer should be defeated. To adopt it would have been to complicate and delay the consideration of more favourable proposals by the Government of India, proposals brought forward by the Public Services Commission; and I believe that to have made the less favourable proposition that was suggested in the resolution would definitely have endangered the adoption of the better scheme that was already before the Government of India.

The Hon'ble the Maharajadhiraja Bahadur of Burdwan has suggested, referring to the question of the meetings of this Council, that we require to concentrate the energies of the administration in Calcutta. I regret to say that on this matter I differ from him profoundly. In these days of devolution of authority, I look with the greatest suspicion on any harking back to anything in the nature of centralization. To develop the interior of this province of Bengal, and to bring the Government in all its functions nearer to the people, are essential to the strengthening of the Province; and we wish to diffuse the energies and the influence of Government rather than to concentrate them in one place.

He and another speaker have referred to the stay of Government in Darjeeling as if this was a time of holiday and relaxation, of comfort and luxury. I would venture to refer to the tale of Sir Reginald Craddock's experience in this matter, as detailed by him in the Imperial Council recently. I would add that my own experience, which is even longer and more varied than his in this respect, entirely confirms his views. I do not propose to detain the Council by dealing with this question at length, but I may say at once that, in my opinion, no defence could be offered for the move to Darjeeling, were it not the case that it is beneficial to the work of Government and tends to increase its efficiency. I am glad incidentally that the temperature of this Council Chamber in Calcutta, in these days of April, adds force to the argument for our present practice, and is calculated to confound those who oppose it.

I cannot resume my seat without acknowledging the very kind personal allusions which have been made to me. I have appreciated those allusions very deeply and am very grateful for them. I first listened to a Council debate in this building in the year 1883; I was a member of one of the unreformed Councils; and I was a member of the first Imperial Council, and of one of the first Provincial Councils, after the introduction of the recent reforms. I have consequently had a special interest in the proceedings and work done in this Chamber; and it is with great regret that I realise that the time has come for me to sever my connection with this Council, from the members of which I have always received unfailing kindness and courtesy."

The Hon'ble MR. BEATSON BELL said :—

"My Lord, as the House is aware, there are several departments under my administrative charge and various criticisms have been offered in respect of the budgets of these departments. Before I deal with these, I would like to make some remarks regarding matters of a general nature which have been brought before us. There has, as usual, been considerable criticism about the budget procedure, and in particular about the part played by the Finance Committee. I shall pass over in the silence which it deserves the attack

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which was made by the Hon'ble Mr. Rasul, who is not a member of the Finance Committee and who admits that his attack was based on idle tittle tattle. On the other hand, I must accord my warm thanks for the great assistance given to Mr. Donald and myself by the members of the Finance Committee. It is very far from being the fact that we treated them as cyphers, or that we are in any way ungrateful for the very substantial help which they gave us in examining the Budget. In this connection, the Hon'ble Maharajadhiraja Bahadur of Burdwan has criticised us because in the Finance Committee we only considered schemes which had become what he calls 'crystallized.' If this means that the schemes of Government were fully prepared before we placed them before the Committee, we thank him for his remark. If, however, he means that the Committee should, on the spur of the moment, make an allotment in the Budget because some member of the Committee hits on a good idea—or what seems to be a good idea—I am afraid we cannot agree with him. If members have good ideas their best course is to embody them in resolutions and get them accepted by the House and by Government, then they will surely find them placed before the Finance Committee.

The Hon'ble Rai Radha Charan Pal Bahadur has made a well-meant suggestion that the Finance Committee should not only concern itself with the preparation of the Budget (in which as I have said just now it gives us most valuable help), but that it should receive enlarged functions and should work throughout the year, examining the general progress of expenditure and considering all proposals for reappropriating the savings of one head to meet the excess expenditure of another. I am afraid that this is not a practical proposal. In fact, I may say, it is somewhat unconstitutional. It comes to this that the Finance Committee is not only to give us assistance in its constitutional work of preparing the Budget; it is also to usurp the functions of the Accountant-General and the Financial Department throughout the administration of the year. I thank the Hon'ble Member for his suggestion, but we cannot possibly accept it.

Then we have our old friend the 'departmental budget.' I may say at once that I adhere to everything that I said last year. This is the first time I have heard that any Hon'ble Member has been unable to see the departmental budgets. They are not secret documents, but they are not ready until shortly *after* the general budget. When they are finally printed, any one can see them. Before that they are merely in draft and cannot be sent out of office. But while they are in draft, any member is welcome to come round and see them. In fact, the Hon'ble Rai Radha Charan Pal Bahadur came round and asked to see the budget of the Medical Department. It was placed at his entire disposal and he was shown the full process of budget-making.

There seems to have been some misunderstanding in the case of the Hon'ble Babu Akhil Chandra Datta. He had not only the facilities of his Hon'ble colleague; he had the additional advantage of being on the Finance Committee, any member of which can inspect any document connected with the Budget. I shall make inquiries into the Hon'ble Member's specific complaint. I shall also see that the departmental budgets of the year which is now beginning are promptly printed in a convenient form for the use of all members who are interested in them.

Then we come to a grievance which has been mentioned by many previous speakers, namely that Hon'ble Members had insufficient time to study the draft Financial Statement. Well, as I pointed out before, the Hon'ble Members had 10 full days in which to study it. I regret that my

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friend, the Hon'ble Babu Kishori Mohan Chaudhuri, did not begin to study his copy until the 4th of March. All I can say is that on 26th February it was sent round to the Calcutta address which he gave us. Our peon book contains the signature of the friend or relation who signed on his behalf and who apparently mislaid it. We cannot be blamed for this; we delivered it punctually on the scheduled date. It is evident also that Hon'ble Members generally made full use of their 10 days. They proposed no fewer than 38 resolutions. This is certainly a record in this Council, and I think it is a record in any Council in India. These 38 resolutions came on for discussion before a House containing a majority of non-official Indian members. The non-official Indian members are 28 against 23 "others" of all kinds. It was before a House so constituted that these 38 resolutions came on for debate. We have been charged with systematically voting down the unanimous opinion of the non-official Indian members. We would not do so if we could; and we could not do so if we would, for how can a permanent minority vote down a permanent majority? The real fact, I am proud to say, is that Government can always rely upon substantial support from non-official Indian members of this House. And what actually happened? Out of those 38 resolutions, we accepted 4. Of the rest, 16 resolutions were withdrawn because satisfactory assurances were given from this side of the House; in 7 more cases the movers did not press their proposals; and it is only in respect of 11 out of 38 resolutions that Government offered any real opposition. Finally, out of these 11 contentious resolutions only 4 were taken to a division.

Another matter of a somewhat general nature has been brought forward by one Hon'ble Member who pointed out that we have large balances and suggested that these balances, instead of lying in treasuries, should be invested in some profitable manner—perhaps in the war fund, perhaps in jute shares; the Hon'ble Member made no specific suggestion. These balances are not at our disposal. If the Hon'ble Member will read the very lucid explanation given by the Hon'ble Sir William Meyer in the Imperial Council, he will find that these balances are not at our disposal, but at the disposal of the Government of India. They are part of the 'ways and means' by which the Finance Member in the Imperial Council is able to carry on the administration of the country and, as far as possible, reduce its debts. These funds are not ours to invest, so the tempting suggestion must be dropped.

Turning to the departments which are under my administrative charge, I first notice land revenue. It is very satisfactory to find that the land revenue receipts are coming in extremely well and that the province, as a whole, is in a state of agricultural prosperity. In this connection, I can assure my friend, the Hon'ble Maharajadhiraja Bahadur of Burdwan, that I would be the very last man to lay sacrilegious hands upon the permanent settlement. We must stick to our bargain, good or bad. It was not I, but my friends on the other side of the House, who recently proposed to re-examine this ancient contract.

Turning to another item in the Revenue Department, when I addressed the House this time last year, we were then in very great anxiety regarding the district of Bankura where a population of a million people were threatened with severe famine. It is a matter of great gratification that the measures which Government was able to take, with the assistance of non-official Europeans and Indians, were entirely successful. The district weathered a year of tremendous stress and is now in a most prosperous condition. No Hon'ble Member has thought it worth while to allude to the Bankura famine. Perhaps, the House has almost forgotten it; but it is worth while placing

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on record that, partly in loans and partly in relief operations, Government distributed 20½ lakhs of rupees, and not a rupee was wasted. I take this opportunity of publicly mentioning the splendid work which was done by Mr. Cook, the Collector, who literally saved the district.

Let us next consider agriculture. Several Hon'ble Members have criticised us because (so they say) we have done nothing in the direction of printing Bengali pamphlets descriptive of our researches and replete with advice to the cultivators. Perhaps, some Hon'ble Members recollect the striking success which was achieved by the *Swadhin Bharat* pamphlets. I admit that these pamphlets achieved their objects, and it is pleasant to hope that agricultural pamphlets may be equally successful. Practical experience, however, has made us sceptical. It is not that we have refrained from trying. We have tried again and again. I have brought some of our literary efforts with me. Here for example is the *Krishi Samachar*. It contains a review of our work for the year and is full of information and advice to the raiyat. Copies of the *Krishi Samachar* are scattered wholesale throughout the province and are obtainable for the small sum of eight annas. To those who are unable to pay, we shall be happy to present a free copy. Then we have vernacular pamphlets about individual crops. Here is one about potatoes, one about *chinabadam*, one about diseases of mango trees. All these are at the disposal of any cultivator. Then here is another very useful work which is now in the press—*Bharatiya gabadi pashur katipay byadhi*—Some diseases of cattle in India."

The Hon'ble KUMAR SHIBSEKARESWAR RAY said :—

"They are not advertised."

The Hon'ble MR. BEATSON BELL said :—

"This speech is a good advertisement; but we have all along advertised our literature by supplying our agricultural officers with plenty of spare copies. I fear, however, that this is not the best way of spending our money. What the raiyat really wants is not literature but ocular demonstration. He wants to see the land ploughed in his presence, the seed sown in his presence, the crop grown, watered, weeded and reaped in his presence. Unless he has seen all this and is thoroughly satisfied that we are showing him a good thing, all the literature in the world will never convince the Bengal raiyat. And I thoroughly sympathise with him.

One Hon'ble Member has pressed us to establish an agricultural school at Dacca, and has assured us that there is a very great demand for such an institution. Well, the Agricultural College at Sabour is the joint property of this Government and the Bihar Government and admits students from both provinces. Special facilities are given to the students of Bengal, and yet the place cannot be filled. We have been trying to make an experiment at Dacca for the benefit of the sons of zamindars in that part of the country. The scheme has been in several forms at different stages. Our latest proposal was communicated to the Eastern Bengal Landholders' Association. We promised that if ten sons of zamindars would come forward and each pay Rs. 30 a month, we would arrange for a practical course of agricultural instruction at the Dacca farm. Not a single candidate has yet appeared.

Turning now to the cognate department of fisheries, the Hon'ble Maulvi Abul Kasem has suggested that we should abolish this department. We cannot listen to this preposterous suggestion. Mr. Southwell, the Deputy Director, has now been working for some years in Bengal. He has acquired

The Hon'ble Mr. Beatson Bell—*contd.*

a thorough knowledge of our local fish. He has paid particular attention to the subject of carp and hilsa. It would be madness if, just after the scientific foundation has been laid, we deliberately throw away all our work and refrain from raising the practical superstructure. If we had taken this course in the case of jute and paddy, we would never have been able to benefit the raiyats in the way in which we are now benefiting them.

Turning now to the Public Works Department, I find that a mass of criticisms has been directed to the Damodar and Ajai floods. I shall not detain this Council by discussing our proposals in detail. Suffice it to say that in addition to the ordinary expenditure we have made a provision of 2½ lakhs of rupees, and it is our intention to spend every penny to the best advantage. We have also been asked to pay some attention to the rivers in the Rajshahi Division, the rivers Mahananda and Atrai. I can only say that the sanitary condition of the Rajshahi Division is giving Government very serious thought. If any gentlemen will make some practical suggestion regarding the rivers of that division, we shall do our best to follow up the suggestion by a careful investigation.

I have to thank the Hon'ble Mr. Eden for his very appropriate remarks regarding the Grand Trunk Canal. I can assure him that we have not the least intention of pigeonholing this project. It has been worked up in its revised form by Mr. Addams-Williams and it has been circulated to all who are interested in the scheme. We are now receiving a mass of valuable criticisms. I am glad to say that most of these criticisms are in favour of our present scheme and urge us to carry it into completion. The scheme, however, will involve a capital expenditure of more than one million pounds sterling. In the ordinary course, we would ask the Government of India to advance this money. At present this is out of the question, and it is equally impossible to go to the open market. But I can assure the Hon'ble Mr. Eden and all those who are interested in this great scheme that, as soon as normal conditions are resumed, we have every intention of taking it up and pushing it through.

Another Hon'ble Member, dealing with the Public Works Department, has criticised the water-ways on the Sara-Serajganj Railway. I am glad this case has been mentioned. Every water-way on this railway was personally examined by the Superintending Engineer when the plans were under discussion. I personally went over the line and re-examined the water-ways before the line was opened. The Collector, an Indian gentleman, made yet another local inquiry after the first rainy season. He reported that the health of the people had improved and not deteriorated since the line was made. But in order to make assurance doubly sure we have ordered yet another inquiry by the Superintending Engineer. I hope this will satisfy Hon'ble Members that we are fully alive to the importance of water-ways on railways.

As regards the Commercial Department, I regret that I have little to say. We are waiting for the report of the Holland Commission and the appointment of our Director of Industries. For the present, with the best wish in the world, we can do practically nothing on a large scale. We are however giving financial help to Home Industries, and shall carry on the good work in which Lady Carmichael took so much interest.

As regards Excise, I have to thank several Hon'ble Members for their kind words regarding the temperance policy of this Government. Our policy remains unchanged—the maximum of revenue and the minimum of consumption. It is good to hear that our practical efforts to carry out this policy meet with the approval of the House.

The Hon'ble MR. BEATSON BELL—*contd.*

The Hon'ble the Vice-Chancellor dealing with Excise made what was for him a somewhat unusual request—a request for the supply of free alcohol. He has asked that the University instead of buying leohol in the usual way and paying duty, should get it free from duty. Well, that matter has been the subject of much correspondence between the University and the Excise Department. Our policy is against the issue of alcohol free of duty. We have done it in the case of the Presidency College and the Museum, but we are not satisfied that we did right in making these concessions. Our experience tells us that when alcohol is given out free of duty, there is an unfortunate tendency on the part of its custodians not only to waste it, but to be negligent in watching it. It is true that the Vice-Chancellor assures us that the alcohol given to the University will be kept with the most scrupulous care and that there is no possibility of leakage; in other words, he assures us that the University will look after its alcohol with that scrupulous care which it bestows upon its examination papers.

I now turn to the question of income-tax. One Hon'ble Member has alluded to the fact that we estimated to the Government of India that the extra taxation which was to be earmarked as Imperial would bring in about Rs. 20,40,000; that the actual takings were much larger; and that we handed over the actual takings in place of the estimated sum. He has accused us of "soft sentiment". I confess I cannot see it. It seems to me a matter of common honesty. It was admittedly a figure which was difficult to estimate. If we had made an overestimate we should not have hesitated to ask for a refund. When we made an underestimate why should we not make an honest offering?

As regards the Medical Department, we have been asked to establish a Medical College at Dacca with the least possible delay. Well, in the discussions of the Dacca University, the subject of medical education was one of the most difficult which engaged the attention of the Committee and of the Government. It is still one of the most difficult questions and it is sure to receive very careful examination by the Commission which is soon to arrive from England. Meanwhile it is absolutely impossible for us to establish a Medical College at Dacca.

We have been asked why there is no provision in the Budget for the School of Tropical Medicine in Calcutta. As Hon'ble Members are aware, splendid buildings have been built, but until we can obtain a staff to carry on the work there is no use making provision in the Budget. The officers of the I. M. S. and the R. A. M. C. have responded so nobly to the call of their country that it is quite impossible during the war to obtain a staff for our Tropical School. Meanwhile, Sir L. Rogers and Colonel Sutherland are carrying on the work. They are shown in the Budget as Professors of the Medical College. This is why there is no special entry against the Tropical School.

There is another medical matter—the Tuberculosis Hospital in Calcutta. This is also a subject which is hung up owing to the war, but the House is no doubt aware that on the roof of the Presidency General Hospital a Tuberculosis Ward has been constructed, and on the roof of the Medical College Hospital another is in the course of construction. When the war is over and funds and officers are available, this subject will receive early attention from Government.

Finally, I would refer to what the Hon'ble Dr. Sarkar said regarding vernacular education in medical subjects. I do not know if the House understood from the Hon'ble Doctor's remarks that this Government has

The President.

The Hon'ble MR. BEATSON BELL—*concld.*

assumed an attitude of *non possumus* to the proposals which he advocated. This is very far from being the fact, for on this subject we have at present a perfectly open mind. As a result of the resolution which was passed in the Supreme Council, we have consulted many experts in this province, including Dr. Sarkar himself, and when we have received all the reports, we shall submit our views to the Government of India. I would only utter one word of warning. I do not admit that Bengal is terribly under-doctored. There is little difference between Bengal and my own country, Scotland. In Bengal there are 8 doctors for 10,000 people; in Scotland there are 12. The proportion is therefore 2 to 3, not a very striking difference. Of course, the doctors here are not all of the same school of thought. The census figures, from which I have quoted, do not shew how many doctors have received western education and how many have received education in indigenous schools of medicine. I know that many people in this country infinitely prefer to be treated by *kavirajes* or *hakims*; and I do not see any reason why Government should force them against their will to be treated by a doctor who has studied western medicine, either through the medium of English or the medium of the vernacular.

Government have been asked to support medical education of three distinct kinds—western education through the medium of English, western education through the vernacular, and education in indigenous schools of medicine. Personally, I should like to do something for them all. But the State purse is not unlimited, and no single school can claim a monopoly. We mean to deal fairly towards all.

Once more, my Lord, I have to thank the House for the kindly reception they have accorded to this Budget, and for the kindly remarks which have been made throughout the debate."

The PRESIDENT said :—

"Gentlemen, I believe it is customary at the conclusion of the proceedings on the final stage of the Budget for the President to say a few words in summing up the results of the labours of the Council during the past session.

Well, gentlemen, I have only presided at this Council during the tail-end of the session, so to speak, and I am not, therefore, in a position to carry out that function properly. I shall only detain you, therefore, on this occasion with a very few words. From the small experience which I have had of the proceedings of this Council I feel assured that there is no cause for members of the Council to feel any despondency as to their achievements. I say that because while listening to some of the speeches which have been made to-day, I seemed here and there to detect a note of pessimism. Some Hon'ble Members suggested that the opportunities which they possess for bringing influence to bear upon Government were not of very much value. Well, gentlemen, with all due respect to them I venture to say that I do really think they are under-estimating both the opportunities which occur and the advantage which is taken of those opportunities for bringing before the Government the feelings and the wishes which they hold as representatives of the people. If I may say so, I think that the Hon'ble Maulvi Abul Kasem has arrived at a far more accurate estimate of the position than perhaps some of the other members have done, and I would commend to them the speech which he made to-day in which he pointed out with legitimate satisfaction that it was as the result of the resolution which he had himself moved in this Council that the Government were taking up a project for mitigating the effects of the floods of the Damodar, the Ajoy and other rivers.

The PRESIDENT—*contd.*

Let me commend his own words to those Hon'ble Members who may be labouring under a sense of their own futility. The Hon'ble Member said 'People in the Burdwan Division are deeply grateful to Government for providing Rs. 2,50,000 for projects for mitigating the effects of the floods at the Damodar, Ajoy and other rivers.' And here comes the particular part of his speech which I wish to direct the attention of some Hon'ble Members to. 'This was done,' he added, 'in pursuance of the resolution which was moved by me at the last meeting of this session'. Well, I merely quote that, gentlemen, as an example of what can be done, and what is done, by Hon'ble Members of this Council.

'Then another Hon'ble Member, I think it was the Hon'ble Mr. Rasul, took exception in particular to the kind of debate which takes place on this particular occasion, and he, by the way, if one may form an opinion from what he himself said, is one of those men who has had some little experience of the wisdom of the saying that a prophet is not without honour save in his own country. He took exception to the particular proceedings at the final stage of the Budget and he suggested that it would be a wise thing to abolish the general discussion which takes place and to devote more time, if I understood him rightly, to allowing members to move resolutions at an earlier stage of the Budget proceedings. Well, so far as that goes, I know of no limitations which are imposed on Hon'ble Members who desire to move resolutions at the earlier stages of the Budget proceedings.

I would imagine, judging from what we were told by Mr. Beatson Bell as to the number of resolutions which have been moved this year, that Hon'ble Members find no limitations imposed in that respect. But apart from that, I think, it would be a pity to abolish altogether this opportunity for a general discussion. Hon'ble Members may say the discussion is an academic one. Well that may be so in fact, but believe me that when a member brings forward with moderation a case which he wishes to bring to the notice of the Government and the public, when he supports that case with sound arguments and with indisputable facts, then he may rest quite assured that even if the occasion on which he brings forward such a case is in essence merely an academic one, still his case must have its effect not only upon the public outside but upon the Member of Government to whom it is more particularly addressed. I would ask members, therefore, not to take part in this discussion in a spirit of pessimism, but to take advantage of the opportunity provided them of bringing to the notice of Government matters of real importance for the Government's consideration

Now, gentlemen, the Council as a whole has shown that they appreciate the difficulties of the present situation. They have admitted that funds are not forthcoming for large measures of reforms so long as the present war lasts, and I appreciate the sense of responsibility which Hon'ble Members have shown in that respect. At the same time, some Hon'ble Members have urged that larger sums ought to be spent on sanitation, and upon education, and upon various other matters in which they are interested. I can assure them that we are as anxious as they are to spend funds upon all these matters, and we are only restrained from doing so by reason of the fact that we have not got the funds to spend. Before you can spend large sums of money you have got to get them. I would venture to suggest to Hon'ble Members that they might find some useful work during the Council vacation in turning over in their own minds methods by which further funds might be collected by the Government, and in going round their constituencies, and in educating their constituents upon that point so that, if the time does come when the Imperial Government will consider it wise and right to impose

The PRESIDENT—*contd.*

further taxes for the prosecution of further reforms, then the people will have been educated up to it, and they will more readily consent to additional taxation. That is only a suggestion I throw out as to how Hon'ble Members might usefully employ their spare time during the Council vacation.

Now I only wish to say one word further and that is with regard to some remarks which have fallen here and there as to the particular way in which the funds which are at our disposal have been allotted in the Budget for the coming year. Some Hon'ble gentlemen have thought it would have been better to have given less money to the police, and to have devoted more money to other objects. All I can say, gentlemen, is that I believe that at the present time it would be impossible to do anything more in the interest of the people of Bengal than to do what is possible to put the whole of the police force upon the best possible foundation.

The Hon'ble Rai Radha Charan Pal Bahadur, I think, has stated that he was much gratified at the speedy and successful manner in which the Government dealt with the unfortunate outbreak of dacoities in the city of Calcutta, and he agreed that under abnormal circumstances the Government is justified in dealing with crimes of that kind by abnormal measures, though he did not altogether agree, as I understood him, with the exact methods which the Government had adopted. Well, gentlemen, I listened with interest to what he said upon that point, and it seemed to me that there was not after all so very large a difference between the Hon'ble Member and between the Government upon that matter. He admitted that under circumstances of that kind we should have methods of dealing summarily with men who commit these crimes. All he asked was, as I understood him, that some safeguard should be set up, such as an advisory committee. I forget his exact words, but at any rate somebody, who would stand to some extent between the executive and the people with whom they wish to deal. Well, I don't think there is a very great deal of difference between the Hon'ble Member and ourselves. We realise that in exercising these powers under the Defence of India Act we have a tremendous responsibility thrown upon our shoulders, and I can assure you that in exercising those great powers we do take every precaution that is possible to prevent any possible miscarriage of justice. The Hon'ble Member suggested the creation of some body to which cases might be submitted. Well, you know yourselves I am told, that it is the policy of this Government that cases of that kind should go before an impartial Judicial officer before action is taken upon them, and if you ponder upon that you will see that there is very little difference in intention between the Hon'ble Member and ourselves.

We deplore the necessity for the employment of such powers as much possibly more, than you do, but the necessity is there and, so long as the necessity remains, we shall not fail to use them. The circumstances are abnormal. Everybody admits that. If that was not admitted, those who love and admire Bengal most might well despair. The circumstances are abnormal, and what we have to do is, while dealing with the particular evil which we find, to try to create an atmosphere which will render the growth of that particular evil impossible. It is in that spirit, gentlemen, I would appeal to you for your assistance and your co-operation. I would ask you, as the leaders of public opinion in Bengal, to do what you can, not in this Council Chamber but outside this Council Chamber, through the agency of the Press and through the agency of public meetings, to make it known that every responsible man who loves Bengal deplores the existence in Bengal of a particular type of crime which makes the exercise of abnormal powers necessary by the Government of Bengal. If you do that, I am sure

The President.

The PRESIDENT—*concld.*

you will be doing more than you would have done by passing any amount of legislation or anything else of the kind, to forward the best interests of the people of your country.

Gentlemen, we part to-day for a brief period, and I look forward with pleasure to the day when we shall reassemble. I hope that the unfortunate curtailment of our activities, which has been necessitated by the war in Europe, will soon pass, and that please God, before I have an opportunity of addressing you once more on this occasion next year I shall be able to ask you to co-operate with the Government in useful legislation. That may or may not be the case. I merely venture to-day to express the hope that it will be the case. I hope that in the near future, this Council will be called upon to assist us in useful and in valuable work, and if I may say so, judging from the very short experience which I have so far had of the deliberations of this assembly, I feel every confidence that we shall receive from the members of this Council, both official and non-official, all that valuable help—and in the term valuable help I include useful criticism—which we require and which we ask for.

Adjournment.

Gentlemen, the Council now stands adjourned *sine die.*"

C. TINDALL,

Secy. to the Govt. of Bengal and Secy. to the Bengal Legislative Council.

CALCUTTA;

The 21st April 1917.

B. S. Press—5-5-1917—100J—350—F. T. R.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Tuesday, the 3rd July, 1917, at 11 A.M.

Present:

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble MR. N. D. BEATSON BELL, C.S.I., C.I.E., *Vice-President.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble SIR SATYENDRA PRASANNA SINHA, KT.

The Hon'ble SURGEON-GENERAL W. R. EDWARDS, C.B., C.M.G.

The Hon'ble MR. B. C. MITRA.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble MR. J. DONALD.

The Hon'ble MR. F. A. A. COWLEY

The Hon'ble MR. C. H. BOMPAS.

The Hon'ble MR. W. W. HORNELL.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. E. B. H. PANTON.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR, I.S.O

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble DR. NILRATAN SARKAR.

The Hon'ble MR. J. MACKENZIE.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. R. GLEN.

The Hon'ble Mr. Provash Chunder Mitter.

The Hon'ble Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.

The Hon'ble Kumar Shib Shekhareswar Ray.

The Hon'ble Mr. Arun Chandra Singha.

The Hon'ble Dr. Deba Prasad Sarbadhikari, C.I.E.

The Hon'ble Rai Debender Chunder Ghose Bahadur.

The Hon'ble Rai Radha Charan Pal Bahadur.

The Hon'ble Mr. F. W. Carter, C.I.E.

The Hon'ble Sir A. Birkmyre, Kt

The Hon'ble Mr. E. B. Eden.

The Hon'ble Mr. H. R. A. Irwin.

The Hon'ble Dr. Abdulla-al-Mamun Suhrawardy.

The Hon'ble Maulvi Abul Kasem

The Hon'ble Maulvi A. K. Fazl-ul-Haq

The Hon'ble Mr. A. Rasul.

The Hon'ble Babu Bhabendra Chandra Ray.

The Hon'ble Rai Sri Nath Ray Bahadur.

The Hon'ble Babu Akhil Chandra Datta.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur.

The Hon'ble Babu Surendra Nath Ray.

The Hon'ble Mr. K. B. Dutt.

The Hon'ble Babu Kishori Mohan Chaudhuri.

LIST OF BUSINESS—ITEM No. I.

OATH OF ALLEGIANCE.

The Hon'ble Mr. C. H. Bompas and the Hon'ble Mr. W. H. H. Arden-Wood made an oath of their allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.

(STARRED QUESTIONS.)

By the Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR :—

* 1 What has been the average tenure of office of the various District Magistrates of the 24-Parganas for the period between 1890 and 1915?

Tenure of office of the District Magistrates of the 24-Parganas

Answer by the Hon'ble MR. KERR :—

"About eleven months."

By the Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR :—

* 2. (*a*) Will the Government be pleased to give the names of the successive District Magistrates of the 24-Parganas from the beginning of the year 1916 to the month of June, 1917, giving the respective dates of joining and leaving?

District Magistrates of the 24-Parganas from 1916 to June, 1917.

(*b*) Will the Government be pleased to state the reasons for the frequent changes in the post of the executive head of the district of the 24-Parganas within the last 18 months?

Answer by the Hon'ble MR. KERR :—

"(*a*) A statement is placed on the table.

(*b*) On Mr. Swan's transfer to the Board of Revenue at the beginning of January, 1916, Mr. Dawson was appointed to hold charge of the district temporarily pending the return from leave of Mr. Goode, who was appointed substantively to the post with the intention that he should hold it for a considerable period. In October, however, it was necessary to grant leave on medical certificate to Mr. Payne, Chairman of the Calcutta Corporation, and Mr. Goode, on account of his previous experience of Corporation work, was selected as the most suitable officer for that appointment. It was at the same time necessary to find employment for Mr. Lang, who had been temporarily displaced from his officiating post as Commissioner of the Presidency Division, and his appointment to the 24-Parganas avoided further changes which would have been necessary if he had been transferred to another Commissionership for a few months. It was, however, arranged that Mr. Milne on return from leave in November should be appointed Additional Magistrate of the 24-Parganas, and should succeed Mr. Lang as District Magistrate on the latter's return to the Presidency Commissionership at the end of January. It was hoped that Mr. Milne would hold the post for some years, but owing to a serious breakdown in health he had to take long leave on medical certificate at the end of March. The present District Magistrate was then appointed. Mr. Henderson, the Additional Magistrate, held charge of the district on two occasions for short intervals between these changes.

The changes in the post during the last 18 months have been regrettably and abnormally frequent, but they were in two instances due to unforeseen illness. Every endeavour will be made to avoid further changes for some time to come."

Statement referred to by the Hon'ble MR. KERR *in his answer to Question No. 2 (starred) asked by the Hon'ble* RAI DEBENDER CHUNDER GHOSE BAHADUR *at the Council Meeting of the 3rd July, 1917.*

Mr. J. A. L. Swan from 1st January, 1916, to 2nd January, 1916.
Mr. V. Dawson from 3rd January, 1916, to 26th March, 1916.
Mr. S. W. Goode from 27th March, 1916, to 30th October, 1916.
Mr. A. G. R. Henderson from 31st October, 1916, to 6th November, 1916
Mr. J. Lang from 7th November, 1916, to 28th January, 1917.
Mr. W. S. Milne from 29th January, 1917, to 30th March, 1917.
Mr. A. G. R. Henderson from 31st March, 1917, to 22nd April, 1917.
Mr. W. D. R. Prentice from 23rd April, 1917, to date.

By the Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR :—

ers of the n Civil ce on leave litary duty.

* 3. What is the mean number of cases of absence on leave on military duty of members of the Indian Civil Service in the Presidency of Bengal for the period between January, 1916, and May, 1917?

Answer by the Hon'ble MR. KERR :—

"On the 1st January, 1916, seven members of the Indian Civil Service on the Bengal *cadre* were absent on military duty. During 1916, nineteen more officers were permitted to join the Indian Army Reserve of Officers. All these 26 officers are still on military duty."

By the Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR :—

ntment of ional trates for dicial al of nal cases.

* 4. (*a*) Will the Government be pleased to state how far the system of appointing an Additional Magistrate in certain districts for the judicial disposal of criminal business has resulted in the separation of judicial from executive functions in those districts?

(*b*) Is it the intention of Government to appoint Additional District Magistrates in those districts in which they are not at present to be found?

Answer by the Hon'ble MR. KERR :—

"(*a*) The primary object of the employment of Additional District Magistrates in this Presidency is to afford relief to the District Officer in unwieldy district charges. The Additional District Magistrate supervises the mechanical working of the criminal courts at headquarters, and ordinarily disposes of the greater part of the original and appellate criminal work which would be done by the District Magistrate if there were no Additional District Magistrate. To this extent the District Magistrate is relieved of a portion of his duties in connection with magisterial work, but he still retains his legal powers and responsibilities as District Magistrate. On the other hand, the Additional District Magistrate may discharge revenue and miscellaneous functions also.

(*b*) The appointment of Additional District Magistrates has been adopted as a temporary expedient pending the completion of arrangements for the partition of unwieldy district charges. The system has many drawbacks, and the Governor in Council has no present intention of extending it generally to all districts."

By the Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR :—

ntment of r members Indian Service to le in ifs' Courts s Subordinate ge.

* 5. (*a*) Will the Government be pleased to give any information available regarding the working of the experiment of making junior members of the Indian Civil Service preside in Munsifs' Courts?

(*b*) Has any junior member of the Indian Civil Service, who has worked as a Munsif in recent years, been made a Subordinate Judge?

Answer by the Hon'ble MR. KERR :—

"(*a*) & (*b*) A scheme was introduced in 1915, under which junior members of the Indian Civil Service, who are likely to be allotted to the Judicial Branch of the Service, are employed on civil judicial work for about eighteen months in order to give them a practical knowledge of civil law and of civil court arrangements. Three officers have undergone the training so far. They have all during a portion of their training exercised the powers of a Subordinate Judge."

By the Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR :—

Alleged pollution of the waters of Tolly's Nala.

* 6. (*a*) Has the attention of the Government been drawn to the letter of Dr. Bentley, Sanitary Commissioner, Bengal, No. D. 163, dated the 18th May last, and addressed through the District Magistrate of the 24-Parganas to the Chairman of the Tollygunge Municipality, on the matter of the pollution of the waters of Tolly's Nala by the effluent discharges of the Tollygunge Government Distillery, and the Dalanda Telegraph Stores, and of a considerable number of rice-mills; and suggesting action by the Magistrate under section 268 of the Indian Penal Code for the abatement of the nuisance?

(*b*) Are the Government considering the desirability of—

(*i*) taking steps for the diversion of the flow of the liquid waste of the Distillery and the Telegraph Stores from their present outfall into the stream, as suggested by the Sanitary Department, and

(*ii*) directing the authority concerned to take such action as may be necessary under the criminal law for abatement of the nuisance alleged to be committed by the people of the rice-mills of the neighbourhood?

Answer by the Hon'ble MR. DONALD :—

" (*a*) & (*b*) Government have obtained a copy of the letter in question It has been ascertained that the Sanitary Commissioner will make definite recommendations for the consideration of the Tollygunge Municipality after personal inquiry."

By the Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR :—

Improvement of Tolly's Nala

* 7. Referring to the answers of the Hon'ble Mr. Cowley in this Council on the 5th March last to the questions of the Hon'ble Rai Radha Charan Pal Bahadur, in the matter of the improvement of Tolly's Nala, will the Government be pleased to state whether they are now in a position to say whether the proposed remedial scheme of constructing a channel for the Hooghly tide to spill into the southern lake at Samukpota has been finally considered, and accepted as likely to be effectual?

Answer by the Hon'ble MR. COWLEY :—

" Observations were duly taken in Tolly's Nala in March and April last Although the results were inconclusive, it has been decided to re-excavate the Nala between Chetla and Garia in the coming cold weather. This will not only improve the nala, but will enable fresh observations to be taken under more favourable conditions. If these fresh observations prove, as is hoped, that the remedial measures already proposed are likely to be effectual, the project of building a sluice and a lock at Samukpota will be carried out with the least possible delay. Meanwhile estimates are under preparation for a sluice and a lock at Samukpota."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Poisoning and flaying alive of bovine cattle.

*8. (*a*) Will the Government be pleased to lay on the table a statement showing, for the last five years, district by district,—

(*i*) the number of cattle-poisoning cases and instances in which bovine cattle have been flayed alive;

(*ii*) the number of prosecutions and convictions for these offences and the average punishment inflicted?

(*b*) Will the Government be pleased to state whether the punishments have caused any diminution in this class of crime?

Answer by the Hon'ble MR. KERR :—

" (*a*) A statement is placed on the table.

(*b*) No definite conclusions can be arrived at from the statistics."

Statement referred to by the Hon'ble MR. KERR *in his answer to question No. 8 (starr asked by the* Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Coun Meeting of the 3rd July, 1917, showing cases of cattle poisoning and of flaying cat (not including goats) alive in different districts for five years from 1912 to 1916.*

Serial No.	District	Year	Cattle Poisoning.			Flaying cattle (not including goats) alive.			Average punishm
			Number of true cases.	Number of cases judicially tried.	Number of cases ending in conviction.	Number of true cases.	Number of cases judicially tried.	Number of cases ending in conviction	
1	2	3	4	5	6	7	8	9	10
1	Burdwan ...	1912	3	3	2	...	...	...	15 months' rigor imprisonment.
		1913	8	2	1	...	...	...	6 months' rigor imprisonment.
		1914	6	3	1	...	...	..	2 years' rigor imprisonment.
		1915	4	1	1	..	...	...	1 year's rigor imprisonment
		1916	3	1	1	..	..	...	8 months' rigor imprisonment
2	Birbhum	1912	3	2	1	1	..	...	3 months' rigor imprisonment
		1913	.	..	...	2	1	1	6 months' rigor imprisonment.
		1914	1	1	1	3	2	2	7 months' rigor imprisonment
		1915	1	1	1	12	6	5	6 months' rigor imprisonment
		1916	1	2	2	1	1	..	3 months' rigor imprisonment
3	Bankura	1912	19	5	2		...	..	Ditto
		1913	5	4	4	...	...	...	1 year's rigor imprisonment
		1914	3	3	3	...	...	...	6 months' rigor imprisonment
		1915	4	3	3	...	...	...	9 months' rigor imprisonment
		1916	5	3	3	...	...	...	Ditto.
4	Midnapore	1912	19	13	10	...	...	...	5 months 21 day rigorous imprison ment.
		1913	18	8	8	...	...	...	9 months 11 day rigorous imprison ment.
		1914	10	5	4	...	...	..	1 year 7 day rigorous imprison ment.
		1915	23	17	13	...	...	...	4 months 27 day rigorous imprison ment.
		1916	23	10	9	...	...	...	4 months 26 day rigorous imprison ment.
5	Hooghly ..	1912	12	8	6	..	...	...	3 months' rigorous imprisonment
		1913	14	13	10	...	...	..	6 weeks' rigorous imprisonment
		1914	11	11	7	...	...	...	2 months' rigorous imprisonment
		1915	8	6	5	...	...	...	3 months' rigorous imprisonment
		1916	6	4	1	.	...	...	Ditto.

District	Year.	Cattle Poisoning.			Flaying cattle (not including goats) alive			Average punishment
		Number of true cases.	Number of cases judicially tried.	Number of cases ending in conviction	Number of true cases.	Number of cases judicially tried.	Number of cases ending in conviction.	
2	3	4	5	6	7	8	9	10
owrah ...	1912	1	1	1	...	...	...	4 months' rigorous imprisonment.
	1913	3	1	1	..	..	...	5 months' rigorous imprisonment
	1914	1	1	...	...	...	...	
	1915	5	5	5	..	..	...	3 months' rigorous imprisonment
	1916	5	5	5	.	.	...	Ditto
Parganas	1912	11	5	4	1	1	1	6 months' rigorous imprisonment
	1913	9	8	7		.	...	Ditto
	1914	10	7	7	1			Ditto
	1915	11	7	5	...			Ditto
	1916	7	5	4	1		1	Ditto
ia	1912	2						
	1913	6	4	3				3 months' rigorous imprisonment
	1914	3	1	1	...	.	.	6 months' rigorous imprisonment
	1915	3	3	3	.			4 months 20 days and fined Rs. 20
	1916	4	1					
shidabad	1912	..	...	..	...	.		
	1913	5	3	3	..	...	...	1 year's rigorous imprisonment
	1914	3	.	...	.	.	.	
	1915	6	3	3	.	...	.	4 months and 10 days' rigorous imprisonment
	1916	2	...	.	.	..	.	
re ...	1912	5	3	1	3		..	10 stripes
	1913	11	6	6	8	2	1	10 months' rigorous imprisonment
	1914	7	4	4	7		..	18 months' rigorous imprisonment
	1915	6	4	4	2	...		6 months' rigorous imprisonment
	1916	5	4	4	2	..	.	3½ months rigorous imprisonment
m ...	1912	4	4	3	4	3	3	5 years 5½ months rigorous imprisonment
	1913	9	1	..	4	2	1	7½ months' rigorous imprisonment
	1914	4	3	3	...	.	...	1 year 10 months rigorous imprisonment and fined Rs. 50, in default 1 month's rigorous imprisonment

Serial No	District.	Year	Cattle Poisoning.			Flaying cattle (not including goats) alive.			Average punishme
			Number of true case.	Number of cases judicially tried.	Number of cases ending in conviction.	Number of true cases.	Number of cases judicially tried.	Number of cases ending in conviction.	
1	2	3	4	5	6	7	8	9	10
	Khulna--- *concld*	1915	3	2	...	2	...	...	.....
		1916	4	3	2	1	1	...	15 days' rigore imprisonment a fined Rs 20, default 1 montl rigorous impris ment.
12	Dacca ...	1912	(Figures not received)						
		1913							
		1914							
		1915							
		1916							
13	Mymensingh	1912	9	2	..	12	3	1	9 months
		1913	21	7	7	25	4	2	6 ..
		1914	11	4	4	16	3	...	3 .
		1915	14	8	8	24	3	1	5 ,
		1916	21	11	8	36	3	2	7
14	Faridpur ...	1912	...	...	...	...	..	...	
		1913	...	...	...	...	.	...	
		1914	1	1	1	...	...	...	3 months
		1915	1	1	...	...	...	...	
		1916	2	2	1	...	...	...	5 ..
15	Bakarganj...	1912	8	1	...	...	...	...	
		1913	5	...	...	...	...	...	
		1914	8	1	1	...	...	...	2 months' rigorous imprisonment
		1915	12	...	...	...	...	...	
		1916	5	1	1	. .	...	...	Two accused sentenced to 18 months' rigorous imprisonment and fined Rs. 100 each
16	Chittagong	1912	...	...	...	...	...	...	
		1913	...	...	...	...	...	...	
		1914	1	...	...	...	...	...	
		1915	...	...	...	...	...	...	
		1916	...	...	...	...	...	...	

District.	Year.	Cattle Poisoning.			Flaying cattle (not including goats) alive.			Average punishment.
		Number of true cases.	Number of cases judicially tried.	Number of cases ending in conviction.	Number of true cases.	Number of cases judicially tried.	Number of cases ending in conviction.	
2	3	4	5	6	7	8	9	10
Tippera ...	1912	2	1	1	18	...	...	Fine Re. 1, in default 2 days' simple imprisonment
	1913	1	1	1	16	1	1	4½ months' rigorous imprisonment.
	1914	4	2	2	9	1	1	4 months' rigorous imprisonment.
	1915	4	5	5	19	6	5	5 months' rigorous imprisonment.
	1916	2	6	6	21	2	2	4¾ months' rigorous imprisonment.
Noakhali ...	1912	1	...	...	9	...	...	
	1913	1	...	...	16	2	2	1 year's rigorous imprisonment.
	1914	1	1	...	15	...	...	
	1915	2	2	...	16	3	2	Ditto.
	1916	2	1	1(*a*)	27	1	1(*b*)	(*a*) 2 months' rigorous imprisonment. (*b*) 9 months' rigorous imprisonment.
Chittagong Hill Tracts.	1912	Nil						
	1213							
	1914							
	1915							
	1916							
Rajshahi ...	1912	4	3	3	...	...	...	11 months' rigorous imprisonment.
	1913	4	2	2	...	...	...	1½ months' rigorous imprisonment.
	1914	5	2	2	..	...	...	Fined Rs. 100.
	1915	5	3	2	...	...	...	6 months' rigorous imprisonment.
	1916	5	2	1	...	...	...	Ditto.
Dinajpur ...	1912	3	...	...	..	1	...	
	1913	4	4	2	5	...	...	1½ years.
	1914	...	...	...	5	1	1	1 year.
	1915	1	1	1	4	1	1	Imprisonment for 6 months 5 days, and fined Rs. 10.
	1916	1	...	...	2	...	...	
Jalpaiguri ...	1912	2	...	...	8	6	4	7½ months.
	1913	2	1	1	7	3	2	9 ,,
	1914	...	...	...	3	2	1	6 ,,
	1915	...	...	...	1	1	...	
	1916	1	...	...	1	1	1	2 ,,

—Statistics of the years 1912-16 are not available for Brahmanbaria subdivision.

Serial No.	District	Year.	Cattle Poisoning.			Flaying cattle (not including goats) alive.			Average punishmen
			Number of true cases.	Number of cases judicially tried.	Number of cases ending in conviction.	Number of true cases.	Number of cases judicially tried.	Number of cases ending in conviction.	
1	2	3	4	5	6	7	8	9	10
23	Rangpur ...	1912	4	4	2	...	..	...	6 months' rigoro imprisonment.
		1913	6	4	4	...	...	...	5 months' rigoro imprisonment.
		1914	9	6	5	...	...	..	3 months' rigoro imprisonment.
		1915	5	1	1	...	...	...	6 months' rigoro imprisonment.
		1916	...	...	...	...	...	...	
24	Bogra ...	1912	4	2	1	...	...	...	2 months' rigoro imprisonment.
		1913	5	3	2	...	...	...	3 months' rigoro imprisonment.
		1914	2	2	2	1	1	1	2 months' rigoro imprisonment.
		1915	1	1	...	1	1	1	6 months' rigoro imprisonment
		1916	2	2	1	1	1	1	3 months' rigoro imprisonment
25	Pabna ...	1912	1	1	1	...	...	...	6 months' rigoro imprisonment.
		1913	1	1	1	...	...	...	1 year's rigoro imprisonment.
		1914	2	2	2	...	...	.	2 years and months' rigoro imprisonment.
		1915	5	3	2	...	...	...	6 weeks' rigoro imprisonment i each case.
		1916	3	1	1	1	1	...	6 months' rigoro imprisonment.
26	Malda ...	1912	Nil						
		1913							
		1914							
		1915							
		1916							
27	Darjeeling	1912							
		1913							
		1914							
		1915							
		1916							

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

* 9. (*a*) Will the Government be pleased to state when action is likely to be taken upon the recommendations of the Public Services Commission? Report of Public Ser Commissi

(*b*) Before any action is taken, will the members of this Council, as well as the public, be given an opportunity for discussing them?

(*c*) If such an opportunity be given, what will be the procedure that will be adopted?

Answer by the Hon'ble MR. KERR :—

"The Hon'ble Member is referred to the statement made by Sir Reginald Craddock in the Imperial Legislative Council on the 7th March, 1917. The Government of India have intimated that they intend to form as expeditiously as possible provisional conclusions regarding the Commission's recommendations involving general principles and of general application, and to inform local Governments of these conclusions as a definite indication of the lines which the examination of the report should follow and the limits to which the discussions thereof should be confined. The Governor in Council has every intention of giving public opinion an opportunity of expressing itself on the Commission's report, but he has decided to defer a formal reference for this purpose until after he has received the communication promised by the Government of India. It is not possible at present to make a more detailed statement as to the procedure that will be adopted."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

*10. (*a*) With reference to the reply given to my starred question about a light railway between Ishurdi and Godagari *viâ* Rampur Boalia, will the Government be pleased to state whether any order from the Railway Board has been received? Light rail between and Goda

(*b*) If it has been decided that the proposed railway will not be taken up in the near future, are the Government prepared to accord permission to the construction by a private company of a tramway line between Godagari and Natore *viâ* Rampur Boalia?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) The decision of the Railway Board on the subject of railway communication in the Rajshahi district has not yet been communicated to this Government.

(*b*) Until the decision of the Railway Board has been received, the Government of Bengal are not in a position to consider whether they will approve of the construction of a light line under the Tramways Act, between Godagari and Natore *viâ* Rampur Boalia."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

*11. (*a*) Will the Government be pleased to state whether any definite scheme has been prepared for the improvement of the pay of secondary and primary school teachers by means of the recurring grant of nine lakhs received from the Government of India? Improve the pay o secondary primary teachers.

(*b*) Are the Government considering the desirability of giving to the members of the Council and the public an opportunity for discussing the scheme?

(*c*) Are the Government aware that in the existing Subordinate Educational Service, the Lecturers and Demonstrators, who are generally of superior qualifications, are classified with the teachers of the secondary schools?

(*d*) Has the point been considered that the proposed scheme for the improvement of the secondary and primary teachers may lead to the supersession of the Lecturers and Demonstrators by secondary school teachers?

(*e*) Will the Government be pleased to state what steps they have taken or are taking to prevent such supersession from taking place?

(*f*) Is it a fact that a scheme for the improvement of the entire Subordinate Educational Service has long ago been sanctioned by the Secretary of State, with scales of salaries ranging from Rs. 40 to Rs. 400 a month?

(*g*) If so, will the Government be pleased to state when this scheme is likely to be given effect to?

Answer by the Hon'ble MR. HORNELL:—

"(*a*) Proposals for the utilization of part of the nine lakhs grant for the improvement of the pay of secondary and primary teachers have been submitted to the Government of India, whose approval is necessary to the expenditure of the grant on different objects.

(*b*) No.

(*c*) Yes.

(*d*) The effect which the scheme will have on the position and prospects of Lecturers and Demonstrators has not been overlooked.

(*e*) The scheme is still under consideration.

(*f*) No.

(*g*) The question does not arise."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI:—

Enhancement of fares over the Sara-Serajganj section of the Eastern Bengal Railway.

* 12. (*a*) Will the Government be pleased to state why the railway fares for inter and 3rd classes over the Sara-Serajganj section have been enhanced from the 1st of June, 1917, by 2 pies and 1½ pies, respectively, per mile, whereas the fares for the corresponding classes over the remaining sections of the Eastern Bengal Railway have been enhanced by half a pie a mile only?

(*b*) Will the Government be further pleased to state why the fares for the 1st and 2nd classes over the Sara-Serajganj section have alone been enhanced and why the corresponding classes over other sections of the Eastern Bengal Railway have been differently treated?

Answer by the Hon'ble MR. COWLEY:—

"(*a*) & (*b*) In view of the high capital cost of the Sara-Serajganj Railway (which is worked by the Eastern Bengal Railway) and of the comparatively low amount at present earned, as a temporary measure, with effect from June 1st, 1917, the passenger fares for all classes have been raised to the enhanced maxima approved by the Railway Board on 5th April, 1917, for railways in India. The same rates of passenger fares are charged on the Cooch Behar State Railway and on the Jainti Branch British Section and higher fares are charged on the Rajabhatkawa-Dalsingpara Branch."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI:—

motions in Subordinate ational rice.

* 13. (*a*) Are the Government aware that in the recent circular issued by the Director of Public Instruction it is stated that senior English teachers of Reformed Madrassas will rise to class III of the Subordinate Educational Service, whereas those of ordinary high schools will rise only to class V?

(*b*) Are the Government considering the desirability of modifying the said circular, so as to remove this distinction and make promotions uniform for all assistant masters?

(*c*) Are the Government aware of the opinion that has been expressed that the restriction recently imposed on the prospects of the assistant masters in general is likely to involve great hardship on the B.A. and M.A. assistant masters in the service?

(*d*) Are the Government considering the desirability of modifying the principle in favour of these officers and of declaring them as eligible for promotion as assistant masters up to class III of the Subordinate Educational Service?

Answer by the Hon'ble MR. HORNELL:—

"(*a*) and (*b*) The Hon'ble Member appears to have misunderstood the meaning of the circular. It makes no distinction between the assistant masters of Reformed Madrassas and the assistant masters of ordinary high schools, but provides that the senior English teacher of a Reformed Madrassa can rise to class III of the Subordinate Educational Service in the same way as the assistant head master of an ordinary high school, to whom he corresponds.

(*c*) No. It is laid down that exceptions may be made to the rules regarding promotion, and it is also provided that officers holding lower posts can be appointed to higher posts and thus become eligible for promotion to higher classes. Deserving assistant masters are therefore not debarred from obtaining promotion to classes higher than class V of the Subordinate Educational Service.

(*d*) No. The Hon'ble Member is referred to the answer to (*c*)"

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI:

*14. (*a*) Are the Government aware of the opinion that has been expressed that the progress of education is being impeded in the Jalpaiguri district by the paucity of secondary schools in that district and by the absence of a suitable boarding house for Hindus attached to the High English School in the town of Jalpaiguri for the accommodation of students coming from the interior of the district? Progress of education Jalpaiguri district.

(*b*) Are the Government considering the desirability of instituting an inquiry into the matter with a view to removing the alleged grievance?

Answer by the Hon'ble MR. HORNELL:—

"(*a*) and (*b*) The answers are in the negative."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI:

* 15. (*a*) Will the Government be pleased to state whether the draft rules notified in the *Calcutta Gazette* of the 19th April, 1916, regulating the appointments of Sanitary Inspectors, have been finally adopted? Appointment Sanitary Inspectors.

(*b*) If not, when are they likely to be adopted and given effect to?

(*c*) Will the Government be further pleased to state how the proposed rules are likely to affect the status and prospects of the Inspectors already appointed under the rules notified in the *Calcutta Gazette* of October 1913?

Answer by the Hon'ble MR. DONALD:—

"(*a*) The answer is in the negative.

(*b*) and (*c*) Fresh proposals regarding the duties and qualifications of Sanitary Inspectors have been submitted to Government and have been referred to the District Boards for their opinion. Pending the orders of Government on these proposals, it is not intended to adopt the rules in question. Should they eventually be accepted, their effect on the status and prospects of Sanitary Inspectors who have already been appointed will be considered.'

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Alleged delay in the issue of tickets on the Eastern Bengal Railway.

* 16. (*a*) Are the Government aware of the fact that great inconvenience is felt by railway passengers on the Eastern Bengal Railway, especially those who travel by the intermediate and 3rd class, owing to the reason that the booking-clerks do not issue tickets in time?

(*b*) Are the Government considering the desirability of causing an inquiry to be made into the matter with a view to the removal of the evil complained of?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) & (*b*) No complaints such as those suggested in the first part of the question have been received by Government.

The answer to the second part of the question is in the negative. Specific complaints should be made to the railway administration concerned."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Discontinuance of the issue of return tickets on railways.

* 17. (*a*) Are the Government aware of the fact that the discontinuance of the issue of return tickets on railways is causing trouble to the general public?

(*b*) Are the Government considering the desirability of causing inquiries to be made into the question as to whether the railway concerns are losers or gainers by such discontinuance?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) This is a matter within the competence of the Railway Board. No complaints have been made to this Government.

(*b*) The Local Government are not considering this."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Extension of the operations of the Court of Wards Act for the protection of tenure-holders.

* 18. Will the Government be pleased to state whether it is in their contemplation to take up at an early date legislation with a view to the extension of the operations of the Court of Wards Act for the protection of tenure-holders, in the same manner as the Act now protects zamindars?

Answer by the Hon'ble MR. KERR :—

" On the motion of Khan Bahadur Maulvi Musharraf Husain, a resolution was accepted at the meeting held on the 27th March, 1916, to the effect that official and non-official opinion should be obtained on the advisability of amending the Court of Wards Act, 1879, with a view to extending its provision to tenure-holders. Government accordingly consulted the Board of Revenue and through it the Divisional Commissioners, thirteen of the principal landlords and eight leading Associations. The general trend of the opinions received was against any change. In the circumstances Government have decided that no steps should for the present be taken towards legislation."

By the Hon'ble KUMAR SHIB SHEKHARESWAR RAY :—

Management of estates under section 95 of the Bengal Tenancy Act, 1885.

* 19. (*a*) Will the Government be pleased to state how many estates are being managed, under section 95 of the Bengal Tenancy Act, 1885 (VIII of 1885), by the Court of Wards and by common managers, respectively?

(*b*) Is there any truth in the statement that under the present state of affairs the work of the common managers is not properly supervised?

(*c*) Is it a fact that there is no adequate provision for the proper audit of the accounts in a large number of the estates under common managers?

(*d*) Is it a fact that the zamindars are generally opposed to the proceedings under section 95 of the Bengal Tenancy Act, as it now stands?

Answer by the Hon'ble MR. KERR :—

" (*a*) Five by the Court of Wards and fifty-three by common managers

(*b*) Government have received no complaint to this effect.

(*c*) The subject is under the consideration of the High Court

(*d*) Government have no information to this effect."

By the Hon'ble KUMAR SHIB SHEKHARESWAR RAY :—

* 20. (*a*) Will the Government be pleased to state whether there is still a separate Text-Book Committee for the Divisions of Rajshahi, Dacca and Chittagong? Text-Book Committee

(*b*) If so, what are its present duties and what is the nature of its relations to the Education Department?

(*c*) What is the total number of the members now serving on the Committee and how are the different Divisions represented on it?

(*d*) How many books have been submitted for approval to this Committee by their authors from each of the above Divisions and how many have been approved as text-books during the years 1914, 1915 and 1916?

(*e*) Is it a fact that very few text-books by authors of the Rajshahi and Chittagong Divisions have been selected as text-books by this Committee?

Answer by the Hon'ble MR. HORNELL :—

" (*a*) Yes.

(*b*) Copies of Government letters No. 1194 Edn., dated the 24th July, 1916, and No. 684 T—G., dated the 30th October, 1916, which contain the latest rules with regard to Text-Book Committees, are laid on the table.

(*c*) The Director of Public Instruction is President of the Committee and the Inspector of Schools, Dacca Division, is the Secretary. There are 15 members, viz :—

(1) The Principal, Dacca College.

(2) The Principal, Dacca Training College.

(3) The Principal, Jagannath College, Dacca

(4) The Principal, Dacca Madrassa.

(5) The Reverend W. E. French, Barisal.

(6) The Hon'ble Nawab Syed Nawabali Chaudhuri, Khan Bahadur, Dhanbari, Mymensingh.

(7) Khan Bahadur Maulvi Hemayetuddin Ahmed, Barisal.

(8) The Head Master, Jamalpur Government High School

(9) The Head Master, Narayanganj High School.

(10) Maulvi Syed Abdul Jabbar, Comilla.

(11) Babu K. C. Bhattacharjya, Comilla.

(12) The District Magistrate, Rangpur.

(13) The District Magistrate, Pabna.

(14) Inspector of Schools, Rajshahi Division.

(15) Mahamahopadhyaya Pandit Jadaveswar Tarkaratna, Rangpur.

(*d*) In 1914-15, 161 books were referred to the Dacca Text-Book Committee, of which 112 were approved. In 1915-16, 210 books were referred to it, of which 110 were approved. In 1916-17, 294 books were referred to it, of which 183 were approved. No information is available as to the residence of the authors of the books submitted for approval.

(*e*) For the reasons given in the concluding sentence of the last answer it is impossible to reply to this question."

Copies of letters referred to by the Hon'ble MR. HORNELL *in his answer to question No. 20 (starred) asked by the Hon'ble* KUMAR SHIB SHEKHERESWAR RAY *at the Council Meeting of the 3rd July, 1917.*

No. 1194 Edn., dated Calcutta, the 24th July, 1916.

From—L. S. S. O'MALLEY, ESQ., I.C.S., Secretary to the Government of Bengal, General (Education) Department,

To—The Director of Public Instruction, Bengal.

I am directed to inform you that in supersession of previous rules, Government approve the accompanying set of revised rules regarding the selection of text, library and prize books.

SELECTION OF SCHOOL TEXT, LIBRARY AND PRIZE BOOKS

1. The Director of Public Instruction shall maintain the following lists of approved books:—

A.—Authorized text-books.

B.—Prescribed text-books, *i.e.*, text-books prescribed for use in Government schools and text-books prescribed for scholarship examinations.

C.—Library and prize books, papers and periodicals approved for use in schools and colleges and their hostels.

2. The approved lists for each year shall be issued in September of the preceding year.

3. No text-books except those entered in the list of authorized text-books shall be used in any public school.

4. The list of library and prize books is issued with the object of bringing to the notice of school authorities books which are considered suitable for inclusion in their libraries or for distribution as prizes. The list is mainly suggestive and should not be regarded as exhaustive. When visiting schools, inspecting officers should scrutinize purchase of library and prize books other than those included in the list, and mention the result of their scrutiny in their inspection reports, drawing attention to any which they consider open to objection.

5. Two sets of lists A and B shall be maintained, one for the Presidency and Burdwan Divisions, and the other for the Dacca, Chittagong and Rajshahi Divisions, pending the co-ordination of the curricula of Western and Eastern Bengal.

6. The Director shall be assisted in the selection of text-books (for inclusion in lists A and B) by two text-book committees. The Director shall be *ex-officio* President, and the Principals of the training colleges shall be *ex-officio* Secretaries of these committees.

7. The members of the committees, whose duties will be those of advisers and critics, shall be appointed by the Director in consultation with the Principals of the training colleges and shall hold office for such periods as the Director shall determine.

8. Meetings of the committees shall be convened by their Secretaries under the orders of the Director to discuss matters of general importance.

9. Individual members, or groups of members, of the committees shall examine books dealing with a particular subject or set of subjects.

10. Books which are submitted for approval as text-books shall in the first instance be forwarded by authors and publishers to the Principals of the training colleges for preliminary examination. Books which are intended for use in the Presidency and Burdwan Divisions should be sent to the Principal, David Hare Training College, and those intended for use in schools in the Dacca, Chittagong and Rajshahi Divisions should be sent to the Principal, Dacca Training College.

11. Books submitted for approval as text-books shall be forwarded with an application in the following form :—

(1) Name of book,
(2) Purpose, class, etc., for which it is intended.
(3) Name of author.
(4) Profession and place of residence of author
(5) Name of publishing firm.
(6) Name and place of Press where printed.
(7) Kind of type used.
(8) Price.
(9) Has the book ever been submitted previously for approval? If so, quote date of such submission

12. Books which appear to be manifestly unsuitable for use as school text-books shall be rejected at this stage. Those which are not manifestly unsuitable shall be forwarded by the Principals of the training colleges to a member or members of the committees concerned for detailed examination and criticism. One copy shall be sent to each such member. The author or publisher shall be required to supply the required number of copies free of charge.

13. After examination of a book the members shall forward their reports to the Secretary. The Secretary will convene meetings of the committee two or three times a year for discussion of the reports and for the selection of a limited number of books which will be forwarded with the committee's recommendations for the consideration of the Director.

14. The members of a committee may forward suggestions regarding text-books to the Director through the Secretary.

15. The Director may request a member or members to take steps for the production of a text-book on a subject in respect of which there are no suitable text-books.

16. The Director may appoint selectors of books for inclusion in list C. The final selection shall be made by the Director.

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18. Inspectors shall include in their annual reports a paragraph dealing with the suitability of approved text-books.

No. 684 T.—C., dated Darjeeling, the 30th October, 1916

From—C. W. GURNER, ESQ., I.C.S., Under-Secretary to the Government of Bengal, General (Education) Department,

To—The Director of Public Instruction, Bengal.

I am directed to communicate sanction, as a temporary measure, to the following modifications in the rules for the selection of text, library and prize books, approved in this Department letter No. 1194 Edn., dated the 24th July, 1916 :—

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For the words "Principal, David Hare Training College," and "Principal, Dacca Training College," substitute respectively "Inspectors of Schools, Presidency Division," and "Inspector of Schools, Dacca Division"

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

*21. (*a*) Will the Government be pleased to state what steps, if any, they have taken to further the movement for raising the complement of the India Defence Force from among Indians in Bengal?

(*b*) Is it a fact that the District Magistrates and the Commissioner of Police, Calcutta, have been authorised to receive applications for enlistment in Form II?

(*c*) If so, will the Government be pleased to state the number of such applications that have been received by these officers up to date, when they were received and what action has been taken thereon?

(*d*) Is it a fact that the forms were generally received very late, and that they ran short in some places?

(*e*) Is it a fact that very little has been done by the authorities mentioned in clause (*b*) above beyond receiving applications?

(*d*) In 1914-15, 161 books were referred to the Dacca Text-Book Committee, of which 112 were approved. In 1915-16, 210 books were referred to it, of which 110 were approved. In 1916-17, 294 books were referred to it, of which 183 were approved. No information is available as to the residence of the authors of the books submitted for approval.

(*e*) For the reasons given in the concluding sentence of the last answer it is impossible to reply to this question."

Copies of letters referred to by the Hon'ble MR. HORNELL *in his answer to question No. 20 (starred) asked by the Hon'ble* KUMAR SHIB SHEKHERESWAR RAY *at the Council Meeting of the 3rd July, 1917.*

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B.—Prescribed text-books, *i.e.*, text-books prescribed for use in Government schools and text-books prescribed for scholarship examinations.

C.—Library and prize books, papers and periodicals approved for use in schools and colleges and their hostels.

2. The approved lists for each year shall be issued in September of the preceding year.

3. No text-books except those entered in the list of authorized text-books shall be used in any public school.

4. The list of library and prize books is issued with the object of bringing to the notice of school authorities books which are considered suitable for inclusion in their libraries or for distribution as prizes. The list is mainly suggestive and should not be regarded as exhaustive. When visiting schools, inspecting officers should scrutinize purchase of library and prize books other than those included in the list, and mention the result of their scrutiny in their inspection reports, drawing attention to any which they consider open to objection.

5. Two sets of lists A and B shall be maintained, one for the Presidency and Burdwan Divisions, and the other for the Dacca, Chittagong and Rajshahi Divisions, pending the co-ordination of the curricula of Western and Eastern Bengal.

6. The Director shall be assisted in the selection of text-books (for inclusion in lists A and B) by two text-book committees. The Director shall be *ex-officio* President, and the Principals of the training colleges shall be *ex-officio* Secretaries of these committees.

7. The members of the committees, whose duties will be those of advisers and critics, shall be appointed by the Director in consultation with the Principals of the training colleges and shall hold office for such periods as the Director shall determine.

8. Meetings of the committees shall be convened by their Secretaries under the orders of the Director to discuss matters of general importance.

9. Individual members, or groups of members, of the committees shall examine books dealing with a particular subject or set of subjects.

10. Books which are submitted for approval as text-books shall in the first instance be forwarded by authors and publishers to the Principals of the training colleges for preliminary examination. Books which are intended for use in the Presidency and Burdwan Divisions should be sent to the Principal, David Hare Training College, and those intended for use in schools in the Dacca, Chittagong and Rajshahi Divisions should be sent to the Principal, Dacca Training College.

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(1) Name of book,
(2) Purpose, class, etc., for which it is intended.
(3) Name of author.
(4) Profession and place of residence of author
(5) Name of publishing firm.
(6) Name and place of Press where printed.
(7) Kind of type used.
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By the Hon'ble Babu Bhabendra Chandra Ray:

*21. (*a*) Will the Government be pleased to state what steps, if any, they have taken to further the movement for raising the complement of the India Defence Force from among Indians in Bengal? Raising complement Indians India Defence Force

(*b*) Is it a fact that the District Magistrates and the Commissioner of Police, Calcutta, have been authorised to receive applications for enlistment in Form II?

(*c*) If so, will the Government be pleased to state the number of such applications that have been received by these officers up to date, when they were received and what action has been taken thereon?

(*d*) Is it a fact that the forms were generally received very late, and that they ran short in some places?

(*e*) Is it a fact that very little has been done by the authorities mentioned in clause (*b*) above beyond receiving applications?

Answer by the Hon'ble MR. KERR :—

" (*a*) One hundred copies of the Army Department's *communiqué* of the 27th March, 1917, in which the conditions of service in the Force were explained in detail, were forwarded to each District Officer and to the Commissioner of Police, for distribution to the public. One hundred application forms were also supplied to each District Officer and five hundred to the Commissioner of Police Independently of any action by Government, publicity was, of course, given to the matter through the press and public discussion.

(*b*) Yes.

(*c*) Five hundred and eleven applications have been received. In 16 cases the applicants were rejected on medical and other grounds Two hundred and ten applications have been forwarded to the military authorities. The remainder are under consideration. Information as to the dates on which the applications were filed is not available, but most of the pending applications were filed very recently.

(*d*) The forms were issued on the 28th March, the day following the issue of the *communiqué* of the Army Department. Government have received no complaints that the supply ran short Over 3,000 forms were issued in the first instance and requests for further supplies have been promptly complied with.

(*e*) District Officers have done all in their power to assist persons desirous of joining the Force, but no regular recruiting operations have been undertaken by Government "

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

* 22 (*a*) With reference to a statement made by Nawab Sir Syed Shams-ul-Huda in his last Budget speech, will the Government be pleased to state the amount of—

(*i*) the permanent assignment made by the Government of India towards the Augmentation Grant, and

(*ii*) the difference found by the Government of Bengal every year between this fixed assignment and the increased grant from year to year by reason of the increase in the receipts on road cess, since 1911-12?

(*b*) On what terms was the obligation indicated in clause (*ii*) above laid on the Government of Bengal?

(*c*) Will the Government be pleased to lay on the table material papers and correspondence relating to this obligation?

Answer by the Hon'ble MR. DONALD :—

(*a*) An allotment of 12½ lakhs was made in 1905 to the Government of Bengal as then constituted in order to enable it to augment the resources of the District Boards. It is impossible to state the amount of the assignment now made, as in the financial statement of 1912, which is now in force, the various assignments of the Government of India to the Government of Bengal were incorporated in the settlement figures, and no specific provision was made on account of the augmentation grant.

(*b*) and (*c*) The reference to ' the obligation ' is not understood."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

*23. With reference to the answer to starred question No. 12 of the 23rd January last, will the Government be pleased to state what progress has been made in the preparation of maps and registers relating to water-supply in those places where they were stated not to have been completed? Preparation of maps and registers relating to water-supply.

Answer by the Hon'ble MR. COWLEY :—

"*Jessore.*—Water supply maps and registers are nearly complete in the remaining four thanas, viz., one in the Sadar subdivision and three in the Jhenida subdivision.

Jalpaiguri.—The registers are complete, maps are under preparation.

Rajshahi.—Registers for the Sadar and Naogaon subdivisions are not yet complete. The maps for these subdivisions and for the Sadar subdivision are also incomplete.

Bogra.—The preparation of maps has been completed.

Mymensingh.—Registers have been completed in all but two thanas, and maps have been prepared for all areas, except these two thanas and the Jamalpur subdivision.

Bakarganj.—The preparation of maps has not yet been taken up.

Chittagong.—Registers and maps are incomplete in five thanas.

Noakhali.—Maps and registers are complete in the Feni subdivision but not in the Sadar subdivision."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

*24. (*a*) With reference to the reply to starred question No. 11 of the 23rd January, 1917, relating to the adoption of special measures of sanitation in certain areas where the mortality has been very excessive, will the Government be pleased to state whether the report of the Sanitary Commissioner has been received? Adoption of special measure of sanitation in certain areas.

(*b*) If so, will the Government be pleased to lay it on the table?

Answer by the Hon'ble MR. DONALD :—

"A copy of the report has been placed on the library table and a copy has been furnished to the Hon'ble Member."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

*25. (*a*) Were the Government consulted at any time by the Government of India regarding the indigenous systems of medicine, the placing of them on a scientific basis and generally adding to their usefulness? Indigenous system of medicine.

(*b*) If so, have the Government taken any steps to ascertain public opinion in this matter?

(*c*) Have the Local Government forwarded their views to the Government of India?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes.

(*b*) The leading exponents of both the Unani and Ayurvedic systems in Bengal were consulted.

(*c*) Yes."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Decline in the number of licenses granted under the Indian Arms Act

* 26 With reference to the statement laid on the table in answer to unstarred question IV of the 13th March last, will the Government be pleased to explain the reasons for the decline in the number of licenses granted under the Indian Arms Act in Form XVI in the undermentioned districts :—

(*a*) Hooghly

(*b*) Bogra,

(*c*) 24-Parganas,

(*d*) Khulna,

(*e*) Murshidabad,

(*f*) Bankura,

(*g*) Midnapur, and

(*h*) Mymensingh

Answer by the Hon'ble MR KERR :—

"The decrease took place mainly in 1913 and appears to have been due primarily to a series of orders which were issued about that time directing District Magistrates to scrutinize personally applications for renewals of licenses and requiring license-holders to produce their weapons for inspection at the time of renewal. In Bogra the decrease was due to the conversion of about 300 licenses in form XVI to licenses in form XVIII In the 24-Parganas, the Commissioner considered the reduction in licenses effected in 1913 excessive, and more than 200 new licenses were granted in 1914. No detailed reasons for the fluctuations are given in the annual reports for the other districts mentioned in the question."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Case of Chandra Kanta Ghosh *versus* the Calcutta Improvement Trust

* 27 (*a*) Is it a fact that an appeal has been preferred to the Judicial Committee of the Privy Council against the decision of the High Court in the case of Chandra Kanta Ghosh *versus* the Trustees for the Improvement of Calcutta ?

(*b*) Have the Government in their contemplation any amendment of the Calcutta Improvement Act to obviate the difficulty raised by the decision of the High Court in the case of Chandra Kanta Ghosh ?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes.

(*b*) In view of litigation now pending in this country, Government have not come to a final decision as to an amendment of the Calcutta Improvement Act of the nature referred to in the question."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Appointment of District or Subdivisional Officers as Municipal Commissioners

* 28 (*a*) Will the Government be pleased to state whether a Circular has issued from the Municipal Department, dated the 24th October, 1916, to Commissioners of Divisions, in which it was decided not to appoint any District or Subdivisional Officer as a Municipal Commissioner ?

(*b*) Is it a fact that Babu Manmatha Nath Mookerjee, Lodging House Deputy Collector, who is also Subdivisional Officer of Navadwip, has been appointed a Municipal Commissioner of Navadwip Municipality ?

(*c*) Will the Government be pleased to state how the appointment in question was made ?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes

(*b*) Yes

(*c*) The Deputy Collector in charge of lodging houses at Navadwip *ex-officio* was appointed a Municipal Commissioner in February, 1917. It was not brought to the notice of Government that the officer in question was temporarily Sadar Subdivisional Officer."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :

Accommodation of Namasudra students

*29. (*a*) Are the Government aware of the feeling that exists that in Calcutta the students of the Namasudra community are subjected to great hardship and trouble for want of accommodation?

(*b*) Is it a fact that the ordinary hostels and messes are practically closed to them?

(*c*) Is it a fact that the Government have provided separate accommodation for the students of this community at Dacca and Rajshahi?

(*d*) Are the Government considering the desirability of making similar provision at Calcutta?

Answer by the Hon'ble MR. HORNELL :

"(*a*) Yes

(*b*) Government have not sufficient information to enable them to answer this question.

(*c*) Yes.

(*d*) No."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :

Introduction of the Calcutta Municipal Bill and the Village Self Government Bill.

*30. Will the Government be pleased to state when the Calcutta Municipal Bill and the Bengal Village Self Government Bill are likely to be introduced in the Council?

Answer by the Hon'ble MR. DONALD :

"Government are most anxious to proceed with the two Bills referred to at the earliest possible date. They hope to be able to introduce the Calcutta Municipal Bill during the coming winter session. With regard to the Village Self-Government Bill, the Bengal Government have given careful consideration to its provisions and are about to submit it for the consideration of the Government of India."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Appointment of non-official Chairmen to District Boards.

*31. Are the Government considering the desirability of appointing non-official Chairmen to other District Boards besides the District Board of Murshidabad?

Answer by the Hon'ble MR. DONALD :—

"The matter is under consideration."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :

Alleged insufficiency of polling centres for elections to Local Boards.

*32. (*a*) Are the Government aware of the feeling that exists that elections to Local Boards are greatly hampered owing to the absence of a sufficient number of polling centres within a subdivision, which makes it necessary for voters to travel long distances to record their votes?

(*b*) Are the Government considering the desirability of making an inquiry into the matter and of taking such steps as may be necessary to remedy the grievance complained of?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes

(*b*) In view of the fact that the Village Self-Government Bill, which is now under the consideration of Government, will change the system of election to rural self-governing bodies, it is not proposed to take any action in the matter."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Pollution of Tolly's Nala

* 33. (*a*) Are the Government aware of the existence of public complaints regarding the condition of Tolly's Nala resulting from the insufficiency of water owing to the large and increasing deposit of silt which remains undredged, and its pollution by the discharge from the Tollygunge distillery, the Telegraph Stores and the adjoining mills?

(*b*) Is it a fact that Dr. Brahmachari, Deputy Sanitary Commissioner, Bengal, in his inspection report to the Sanitary Commissioner of Bengal, has reported on the present filthy and excessively insanitary condition of Tolly's Nala and has suggested the restoration of the stream to its former condition by widening and deepening the channel and also maintaining the same by dredging from time to time?

(*c*) Is it a fact that Dr. Bentley, Sanitary Commissioner of Bengal, has written to the Chairman of the Tollygunge Municipality to the effect that the state of things disclosed in the report of the Deputy Sanitary Commissioner constitutes a standing menace to public health and that it is calculated to help the dissemination of cholera far and wide?

(*d*) What steps are the Government taking to restore Tolly's Nala to its original condition?

Answer by the Hon'ble MR DONALD :—

"(*a*), (*b*) and (*c*). The answer is in the affirmative. The Sanitary Commissioner will make a personal inspection with a view to formulating practical suggestions on which action can be taken."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Organisation of local defence corps for the suppression of dacoities and murders.

*34. Have the Government considered the practicability of organising local defence corps to co-operate with the local authorities for the suppression and detection of dacoities and murders?

Answer by the Hon'ble MR KERR :—

"The Hon'ble Member is referred to the answer given to the question put by the Hon'ble Babu Akhil Chandra Datta regarding the formation of village defence parties in the mufassal. In Calcutta, proposals have been made on various occasions during the last few years for the formation of vigilance committees and similar organisations, but they have come to nothing."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Improvement of primary education in Calcutta.

*35 Will the Government kindly state what progress has been made in maturing the scheme for improving primary education in Calcutta?

Answer by the Hon'ble MR. HORNELL:—

"The Inspector of Schools, Presidency Division, has been instructed to undertake, with the assistance of a special staff, a survey of the educational needs of the different wards of Calcutta as a preliminary to the preparation of a scheme for the reorganisation of the system of primary education in the city."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR:—

*36. Will the Government kindly state what steps they are taking and what money they propose to spend for the improvement of female education in Calcutta, primary and secondary, respectively? Improvement of female education in Calcutta

Answer by the Hon'ble MR. HORNELL:—

"Certain schemes for the improvement of female education in Calcutta are in contemplation, but have had to be held in abeyance owing to the financial stringency caused by the war.

The total amount provided in the current year's budget for secondary and primary education in Calcutta is Rs. 1,33,000, of which approximately Rs. 65,000 is on account of secondary and Rs. 68,000 on account of primary education."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR:—

*37. (*a*) Are the Government aware of the opinion that has been expressed that the discontinuance of the old system of Middle Vernacular Examination and the substitution in its place of an examination amongst selected candidates only for the purpose of awarding scholarships is one of the principal causes of the decrease in the number and popularity of middle vernacular schools? Alleged decrease in the number and popularity of middle vernacular schools.

(*b*) Have the Government in contemplation any change in the present system?

Answer by the Hon'ble MR. HORNELL:—

"(*a*) Government are aware that such an opinion has been expressed, but they are inclined to look elsewhere for the causes which have led to the decrease in the number and popularity of middle vernacular schools.

(*b*) The organisation of the school curriculum is now under consideration. Government understand that a recent conference of educational officers was in favour of the re-establishment of a public examination at this stage of the school course and that the Director of Public Instruction proposes to include this suggestion in his reorganization scheme."

UNSTARRED QUESTIONS.

(*Answers to which were laid on the table.*)

By the Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY:—

1. (*a*) Will the Government be pleased to state the number of prisoners of various denominations in the jails in Bengal? Spiritual welfare of prisoners in the jails in Bengal.

(*b*) What arrangements, if any, are made for the spiritual welfare of these prisoners?

(*c*) Are chaplains, priests and *mullas* attached to the several prisons?

Answer by the Hon'ble MR. KERR :—

" (*a*) The number of prisoners present in the jails of this Presidency on the 1st June, 1917, was 14,509. Of these—

8,660 were Muhammadans,

5,422 were Hindus and Sikhs

79 were Christians,

58 were Buddhists and Jains, and

290 were of other religions

(*b*) Rule 670 of the Jail Code provides that prisoners shall be permitted to perform their devotions at suitable times and in suitable places. It is the practise to allow Muhammadan prisoners special time for their prayers at the *Id* and other important festivals.

(*c*) Two chaplains are attached to the Alipore Central Jail for the benefit of Christian prisoners. No chaplains, priests or *mullas* have been appointed to any other jail. Moral instruction is, however, given to the inmates of the Juvenile Jail, Alipore, by a Hindu gentleman, and Government have granted permission to a Muhammadan gentleman to preach to Muhammadan prisoners in the provincial jails "

By the Hon'ble DR ABDULLA-AL-MAMUN SUHRAWARDY :—

Moslem and non-Moslem holders of literary pensions

II. Will the Government be pleased to state the number of Moslem and non Moslem holders of literary pensions and the amount of pension granted to each of them severally ?

Answer by the Hon'ble MR. HORNELL :—

" A statement is laid on the table "

Statement referred to in the answer by the Hon'ble MR. HORNELL *to Question No. II (unstarred) asked by the Hon'ble* DR ABDULLA-AL-MAMUN SUHRAWARDY *at the Council Meeting of the 3rd July, 1917, showing the number of literary pensions in the Presidency of Bengal.*

Class of pensioner	Number	Amount of pension
		Rs.
Moslem	1	50
Non-Moslem	2	25 each.

By the Hon'ble DR ABDULLA AL-MAMUN SUHRAWARDY :—

rant to the siatic Society of engal for the romotion of lamic studies

III. Will the Government be pleased to state whether they are considering the desirability of making a grant to the Asiatic Society of Bengal for the promotion of Islamic studies similar to the grant of Rs. 300 a month made to the Society for the promotion of Sanskrit research and learning ?

Answer by the Hon'ble MR. HORNELL :—

" The grant to which the Hon'ble Member refers is not made solely for the promotion of Sanskrit research and learning, Rs 200 a month being assigned for the cataloguing of Sanskrit manuscripts and Rs. 100 a month for the maintenance of a bureau of information in connection with the history, religion, usages and folklore of Bengal and its people. Government are not considering the advisability of making an additional grant for the promotion of Islamic studies."

By the Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY :—

IV. (*a*) Are the Government aware of the existence of a book entitled "Near Home," which was recently published by Messrs Longmans, Green & Co.? The book entitled "Near Home."

(*b*) Has the attention of Government been drawn to certain passages in that book which have been considered to be calculated to wound the feelings and insult the religion of Muhammadans?

(*c*) Will the Government be pleased to state whether they are considering the desirability of taking steps to eliminate the offending passages from the book and to stop its further publication pending such elimination?

Answer by the Hon'ble MR KERR :—

"(*a*) & (*b*) Yes

(*c*) The book was originally published in England many years ago It has been ascertained that 12 copies of the 1910 edition were supplied to the Calcutta branch of the publishers and that they have all been sold Government are taking steps to prevent the sale of further copies in this Presidency"

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

V (*a*) Are the Government aware that there is a scale fixing the rate of diet for patients in the Government hospitals in Calcutta? Rate of diet of patients in the Government hospitals in Calcutta

(*b*) Is it a fact that a rate of 12 annas *per diem* is fixed for Europeans, Eurasians, Japanese, Chinese and Burmese patients, while a rate of 4½ annas is provided for Hindus and Muhammadans?

(*c*) Is it a fact that this scale includes fuel, oil and everything else?

(*d*) How long has this scale been in force?

(*e*) Is it a fact that there are patients in these hospitals who sometimes require a seer of milk a day for their nourishment?

(*f*) Is it also a fact that a seer of milk costs 4 annas in these hospitals?

(*g*) Are the Government considering the desirability of increasing the rate for Indian patients to 8 annas *per diem* or to such other amount as they may consider expedient?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Government are aware that scales have been prescribed fixing the rates of diet for patients in the Government hospitals in Calcutta.

(*b*) The answer is in the affirmative There is an exception in the case of Europeans and Eurasians admitted to the small-pox wards of the Campbell Hospital, where the rate is one rupee.

(*c*) The scales include all articles used in the preparation of diet.

(*d*) In the Medical College Hospital since 1906. In the Campbell Hospital since 1907. In the Presidency General Hospital since 1899. The date of its introduction in the Sambhunath Pandit Hospital is uncertain.

(*e*) Yes; and it is provided when necessary.

(*f*) A seer of milk costs less than 4 annas in these hospitals.

(*g*) The question of revising the scales is under the consideration of Government. But it may be observed that the diet given to a patient is not always determined by the rate in force, and that extra diet, milk, etc., is given when necessary, according to the directions of the Medical Officer."

By the Hon'ble MR. H. R. A. IRWIN :—

Hook worm infection in the Darjeeling District.

VI. (*a*) Are the Government aware of the large percentage of the population suffering from hook worm infection and the grave results of the same as disclosed by the facts elicited by Colonel Clayton Lane, I.M.S., by his investigations carried on during the last two years in the Darjeeling district?

(*b*) Are the Government of Bengal considering the desirability of—

(*i*) recommending to the Government of India that a more extended investigation should be made into the disease throughout India, with a view to taking steps to eradicate, as far as possible, or, at any rate, to mitigate the ravages of the disease, and

(*ii*) taking such steps, as may be considered advisable for the same purpose, in the Province of Bengal?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes.

(*b*) Proposals for an investigation in the districts of Bengal have been submitted to the Government of India."

By the Hon'ble MAULVI ABUL KASEM :—

Clerks and muharrirs in the Registration Department in the Burdwan Division.

VII. (*a*) Will the Government be pleased to state separately, district by district, the number of clerks and muharrirs in the Registration Department, in the Burdwan Division, and also state how many of them are Muhammadans?

(*b*) Will the Government also be pleased to state how many of these clerks and muharrirs have passed the Matriculation or Entrance Examination of the Calcutta University?

(*c*) Will the Government be pleased to state, district by district, the number of vacancies in the ministerial establishment of the Registration Department, in the Burdwan Division, in 1916, 1915, and 1914, and to state how many of these vacancies were filled up by Muhammadans?

(*d*) Will the Government also be pleased to state how many of these vacancies were filled up by candidates who had passed the Matriculation Examination of the Calcutta University?

Answer by the Hon'ble MR. KERR :—

"A statement containing the information asked for is laid on the table."

District Statement referred to by the Hon'ble MR. KERR *in his Answer to Question No. VII (unstarred) asked by the Hon'ble* MAULVI ABUL KASEM, *at the Council Meeting of the 3rd July, 1917, showing the establishment of the Registration Offices and the number of Muhammadans employed in them in the Burdwan Division.*

—	Burdwan	Birbhum	Bankura	Midnapore	Hooghly.	Howrah	Total.
Permanent clerks—							
Total number	19	7	12	31	13	8	90
Number of Muhammadan clerks	1	2	2	1	1	...	7
Number who have passed the Matriculation or Entrance Examination of the Calcutta University	1	2	5	4	2	3	17
Permanent muharrirs—							
Total number	24	12	16	13	15	17	126
Number of Muhammadan muharrirs	1	1	2	8	3	...	15
Number who have passed the Matriculation or Entrance Examination of the Calcutta University	2	.		..		..	5
Vacancies in the ministerial establishment—							
1916—							
Total number	6	4	.	1	4	3	15
Number filled up by Muhammadans	1				.	...	1
Number filled up by candidates (including Muhammadans, if any) who had passed the Matriculation Examination of the Calcutta University		2	.	.	..	2	4
1915—							
Total number	2	..	...	2	3	...	7
Number filled up by Muhammadans	.	..	..	.	1	...	1
Number filled up by candidates (including Muhammadans if any) who had passed the Matriculation Examination of the Calcutta University.	..	...	.	1	...	.	1
1914—							
Total number	2	2	3	4	3	1	15
Number filled up by Muhammadans	...	1	1	1		...	3
Number filled up by candidates (including Muhammadans, if any) who had passed the Matriculation Examination of the Calcutta University	...	1	...	.	..	...	1

By the Hon'ble MAULVI ABUL KASEM :—

Vacancies in the Upper Division of the Secretariat and attached offices

VIII. Will the Government be pleased to state the number of vacancies in the Upper Division of the Bengal Secretariat offices during the last three years and how they were filled up?

Answer by the Hon'ble MR. DONALD :—

"A statement containing the information required by the Hon'ble Member is placed on the table."

Statement referred to by the Hon'ble MR. DONALD *in his answer to question No. VIII (unstarred) asked by the Hon'ble* MAULVI ABUL KASEM *at the Council Meeting of the 3rd July, 1917, showing the number of vacancies in the Upper Division of the Bengal Secretariat Offices during the years 1914—1916 and how they were filled up.*

Name of Department.	Number of vacancies.	How they were filled up.
1. Departments under the Chief Secretary.	4	2 By promotion from the Lower Division. 1 By the appointment of an Anglo Indian. 1 By the appointment of an unsuccessful nominee for the Provincial Civil Service.
2. Department under the Revenue Secretary	5	2 By recruitment from the Bihar and Orissa Secretariat. 2 By transfer from the office of the Board of Revenue. 1 By promotion from the Lower Division.
3. Departments under the Financial Secretary	4	4 By promotion from the Lower Division. (Two of these had previously reverted from the Upper Division to the Lower Division on the re-organization in 1912.)
4. Departments under the General Secretary.	3	2 By promotion from the Lower Division. 1 By the appointment of a Muhammadan.
5. Departments under the Public Works Secretary.	6	2 By promotion from the Lower Division. 2 By the confirmation of two probationers previously entertained against probable vacancies. 2 By the appointment of one Anglo-Indian and one Hindu.
6. Legislative Department ...	.....	.....

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

IX. (*a*) Has any action been taken by the Government to give effect to the resolution accepted by the Government in the meeting of this Council on the 23rd January last, recommending immediate steps to be taken to prevent the damage caused by the Gumti floods in the district of Tippera?

(*b*) In answer to a question it was stated on the 13th December last that the schemes of storage reservoirs and escape channels were still under the consideration of the Government. Will the Government be pleased to state whether any final decision has since been arrived at with respect to those schemes?

(*c*) Have the Government come to any final decision as to which scheme, out of the various schemes hitherto suggested by Government experts, should be tried and given effect to?

(*d*) Have the Government taken any active and actual steps for the prevention of the Gumti floods, since the adoption of the resolution of the 23rd January last?

(*e*) If not, will the Government be pleased to state what progress has since been made in this behalf?

(*f*) If no action has been taken up till now, will the Government be pleased to state whether they have considered the desirability of taking some immediate and effective steps before the next rainy season?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) The Commissioner of the Chittagong Division was requested to ascertain from His Highness the Raja of Hill Tippera if he is willing to have an alteration in the agreement of 1878. The reply of His Highness (consenting to a modification of the agreement) has been received within the last few days and is now being considered by Government.

(*b*) & (*c*) Government are not in a position to consider schemes of storage reservoirs or escape channels until they know the views of His Highness the Raja of Hill Tippera regarding the possibility of constructing a storage reservoir in Hill Tippera. The reply of the Raja did not deal with this question.

(*d*), (*e*) & (*f*) Apart from the correspondence with the Raja, the Executive and Superintending Engineers made inspections of the embankment. Copies of their reports were forwarded to the Collector of Tippera for necessary action under the present agreement."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

X. (*a*) Will the Government be pleased to state the circumstances in which and the reasons for which Messrs. Hamir Lal Mehta and Shib Ram Mukharji, Deputy Superintendents of Police, were removed from service on one and the same date? Removal of two police officers from service.

(*b*) Will the Government be pleased to lay on the table all papers in connection therewith?

(*c*) Will the Government be pleased to state in particular—

(*i*) what was the charge brought against them,

(*ii*) by whom it was brought,

(*iii*) who in the first instance proposed the punishment of their removal from service, and

(*iv*) by whom the order of dismissal was finally passed.

Answer by the Hon'ble MR. KERR :—

"Messrs. Hamir Lal Mehta and Shib Ram Mukharji, who were Probationary Deputy Superintendents of Police, were removed from the police force, because they were found guilty of fomenting indiscipline and insubordination among the cadets of the Police Training College at Sarda. Government are not prepared to lay the papers of the case on the table or to make a statement in Council regarding the details of the case."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Removal of the headquarters station of the district of Noakhali.

XI. (*a*) Is there any foundation for the rumour that it has been proposed temporarily to remove the headquarters station of the district of Noakhali to Feni?

(*b*) Are the Government aware that there is a strong public feeling in Noakhali that the proposal of temporary removal is still premature and that no step should be taken until a portion of the town be washed away?

(*c*) Are the Government aware that the vast majority of the Noakhali people are of opinion that if temporary removal is considered indispensably necessary, a site to the north of the Noakhali railway station may be selected where some temporary arrangement may be made for the safe custody of the Government records?

(*d*) Are the Government aware that the vast majority of the Noakhali people are of opinion that Feni is totally unsuitable for the headquarters station of the district and that, if a permanent transfer of the Sadar station be found to be unavoidable, a suitable site may be selected near about Bazra which, in their opinion, is most conveniently and centrally situated?

Answer by the Hon'ble MR. KERR :—

"Government have no intention of removing the headquarters station of the Noakhali district unless the erosion of the Meghna should render this course necessary. If the erosion continues at its present rate, the civil station or portions of it will be in danger of diluviation about two years hence, and it is, therefore, necessary to consider the measures which will be required in that eventuality. Government have decided that any arrangements which may be made, should be temporary only in the first place, in view of the probability that the river will sooner or later recede. The question of the place to be selected as the temporary district headquarters in the event of its being necessary to evacuate Noakhali has not yet been decided. A large number of memorials pressing the claims of different places have been submitted and will receive full consideration before a final decision is come to."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Defence parties in Bengal.

XII. (*a*) Will the Government be pleased to state—

(*i*) the total number of defence parties formed up to date in Bengal, district by district;

(*ii*) the number of occasions on which they have offered resistance to armed dacoits;

(*iii*) the total number of members who have received injuries in offering such resistance, and

(*iv*) the number of members, if any, who met with death in offering such resistance?

(*b*) Have any members of any such parties been exempted from the operations of the Arms Act?

(*c*) If not, are the Government considering the desirability of exempting them from the same or of taking any other steps for encouraging and facilitating their work?

(*d*) Who have organised these parties?

(*e*) Have the Government recognised the said parties in any shape or manner? If so, how?

(*f*) Have any members of any defence party been interned? If so, what is the number of such members?

Answer by the Hon'ble MR. KERR :—

(*a*) (*i*) The formation of village defence committees was first sanctioned in March 1914 in the Burdwan district as an experimental measure, the object being to encourage the villagers to band themselves together in defence against the attacks of thieves and dacoits. It was subsequently extended to the districts of Hooghly, Bankura, Birbhum, Howrah, Midnapore, 24 Parganas, Nadia, Jessore, Khulna, Dacca, Bakarganj, Faridpur, Pabna, Rangpur and Malda. Government last year obtained reports as to the working of the system, and it was found that in many cases defence parties had been started on a large scale without due care in the selection of members and had done little or no effective work, but that in other areas where the local officers had been able to find suitable persons to carry it out, the parties had to some extent succeeded in preventing crime and in arresting criminals. Orders were accordingly issued in April last sanctioning an extension of the system in areas where conditions are favourable, the principle being to foster self-help wherever spontaneous inclination to self-help is apparent. It is too early as yet to judge of the effect of those orders, and it is not possible therefore to answer these questions in full or to give full information as to the existing position, but the following information extracted from the reports received last year shows how the movement then stood in the districts in which it had been introduced :—

Burdwan. *Sanads* of appointment as members of defence parties were issued to 20,000 persons. In 12 cases members of the defence parties assisted in the detection of cognizable crime, and thieves were arrested in five cases.

Birbhum. *Sanads* were issued to 15,361 persons, but only one case, in which a thief was caught, is reported.

Bankura. *Sanads* were issued to 9,000 persons, but no effective work was done.

Hooghly. *Sanads* were issued to 3,360 persons. In two cognizable cases the criminals were detected by defence parties.

Howrah. No *sanads* were issued, but some defence parties were created informally in the Sadar sub-division. It does not appear that they did any effective work.

Midnapore.—No *sanads* were issued. In two cases dacoits were captured by members of defence parties.

24 Parganas.—*Sanads* were issued to 360 persons, and 59 parties were formed, of which 17 are now defunct. Useful work was done by some of the parties who arrested thieves or dacoits in eight cases and gave the police assistance in the detection of five others.

Nadia.—*Sanads* were issued to 164 persons, but the parties did no effective work.

Jessore.—*Sanads* were issued to 264 persons. One party caught a burglar red-handed and gave valuable assistance in a murder case.

Khulna.—Seven parties were formed, but six did little work. The seventh party was reported to be active in patrolling and to have been successful in checking thefts and burglaries.

Dacca.—About 1,000 *sanads* were issued, but no effective work was done.

Faridpur.—More than 100 *sanads* were issued. It is reported that some useful work was done for a time in controlling the patrol work of the chaukidars, but that the energy of the members of the parties soon abated

Bakarganj.—Six parties were formed. Some of these did useful patrol work and succeeded in catching thieves in several cases.

Pabna.—*Sanads* were issued to 18,208 persons in 2,677 villages, but it is reported that the parties were inactive and rendered no material help in checking crime.

Rangpur.—Defence parties were formed in 43 villages, but the introduction of the scheme had to be suspended owing to rumours that the members would be sent to the war No useful work had been done.

Malda.—Similar rumours hampered the formation of defence parties in Malda and they were introduced in nine villages only It is reported that they did no effective work

(*ii*) No case has been reported in which members of defence parties have offered resistance to armed dacoits, but as shown above, they have in several cases caught thieves and dacoits red-handed.

(*iii*) & (*iv*) No case has been reported in which a member of a defence party received serious injury or was killed in resisting thieves or dacoits

(*b*) and (*c*) No members of defence parties were exempted from the operation of the Arms Act, nor is such a course contemplated The grant of licenses in suitable cases should be sufficient.

(*d*) The parties were organised by District Magistrates and Superintendents of Police.

(*e*) *Sanads* in a prescribed form are now issued by the local officers to the members of the parties, and they are also eligible for, and in many cases have received, rewards for the capture of dacoits

(*f*) So far as Government are aware, none of the persons whose movements have been restrained under the Defence of India Rules was a member of a village defence party."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Diet money deposited by parties in Civil Courts for witnesses.

XIII (*a*) What is the total amount, for the last five years, of diet money deposited by parties in Civil Courts for witnesses?

(*b*) How much of the said money remains unexpended and how much of it has been refunded to the depositors?

(*c*) Is there any general practice of giving any intimation to the depositors of the amount that remains unexpended?

Answer by the Hon'ble MR. KERR :—

" (*a*) and (*b*) A statement is placed on the table.

(*c*) The Hon'ble Member's attention is invited to rule 57 (*a*), Chapter IX, High Court's General Rules and Circular Orders, Civil Volume I, which provides that notice shall be given to parties or their pleaders of the amount of diet money unexpended in each case."

Statement referred to by the Hon'ble MR. KERR *in his Answer to Question No. XIII (unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council Meeting of the 3rd July, 1917, showing the total for the last five years of diet money deposited by parties in Civil Courts for witnesses and the amount (1) remaining unexpended and (2) refunded to depositors.*

DISTRICT.	Amount deposited.			Amount unexpended.			Amount refunded to depositors.		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
24-Parganas	2,16,527	1	7	36,017	1	9	32,473	1	0
Nadia	91,079	8	1	9,469	9	5	9,085	10	9
Murshidabad	1,23,810	4	2	9,403	1	6	17,677	11	6
Jessore	1,15,627	8	0	6,002	5	10	29,129	8	2
Khulna	85,838	5	6	5,815	6	11	34,883	14	9
Burdwan	92,889	0	0	3,570	0	0	18,945	0	0
Birbhum	79,179	13	9	2,717	9	3	10,952	11	9
Bankura	71,330	12	7	7,512	14	8	9,297	8	10
Hooghly	3,61,269	0	0	7,040	0	0	1,34,471	0	0
Midnapore	1,90,989	10	0	9,298	4	6	11,030	5	3
Dacca	1,88,438	0	0	11,566	0	0	1,01,244	0	0
Mymensingh	2,27,151	0	7	12,902	5	7	81,437	11	11
Faridpur	1,18,306	2	6	41,635	12	5	26,398	3	5
Bakarganj	2,27,971	0	0	29,440	0	0	64,401	0	0
Chittagong	1,16,438	0	0	11,426	0	0	8,497	0	0
Rajshahi	74,021	4	10	37,114	13	3	3,699	7	11
Rangpur	1,12,689	2	11	3,653	7	6	22,862	14	3
Dinajpur (outlying Courts)	16,766	9	9	2,314	14	9	2,465	9	6
Do. (Sadar) ...	11,881	0	9	10,601	10	11	1,279	5	10*
Tippera	1,32,880	10	6	8,045	9	2	1,24,835	1	4*
Noakhali	70,108	2	6	3,607	12	7	66,500	5	11*
Pabna and Bogra ...	1,34,193	7	3	20,395	13	1	1,13,797	10	2*

* Total sum paid out. Figures are not available to show what proportion of this sum was paid to witnesses and what proportion refunded to depositors.

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI —

XIV. Will the Government be pleased to state what steps have been taken to popularise, among the cultivating classes, a knowledge of Dacca No. I paddy, referred to in a paper on the improvement of the rice crop at the Provincial Agricultural Conference in July, 1916, to induce them to extend the cultivation of this species of paddy? Dacca No paddy

Answer by the Hon'ble MR. KERR :—

" A combined scheme for the demonstration and seed supply of Dacca No I paddy is being given a trial in the Dacca and Mymensingh districts, the object being to supply each village concerned with an amount of seed the produce of which, if reserved for seed purposes, will suffice for the whole of the villiage area in the succeeding year. This year about 15,000 10-lb. sample bags of the seed of Dacca No. I variety of paddy have been distributed to growers through the agency of the panchayats throughout the two above-mentioned districts. Arrangements have been made to make the produce of this distribution available for seed for next year. If the produce is reserved for seed there will thus be sufficient seed for about 375,000 acres of this variety in the villages for next year's crop. Provision has been made for enough seed to affect in a similar manner about 1,200,000 acres in 1919 and to extend the operations to other districts to which the variety is known to be suited "

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

rdwan
rdcultural Farm.

XV (*a*) Has the attention of Government been drawn to a statement made by Mr Smith in the annual report of the Burdwan Agricultural Farm for the year ending June 1910, in referring to his experiments in small plots in Government farms, that "yields from small areas are misleading?"

(*b*) Have the Government any information as to the experience of other agricultural farms in regard to this matter?

Answer by the Hon'ble MR KERR —

" (*a*) The attention of Government has not been specially drawn to the statement in question, as the dangers of accepting the returns from small areas as representing the average outturn of a large field are well known This does not mean, however, that for strictly comparative purposes small plots whose relative fertilities have been previously ascertained are not sometimes of very great use for special classes of work.

(*b*) The above principles are well known to all field experimenters "

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

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XVI (*a*) With reference to a statement made in the report of Public Instruction for 1915-16, will the Government be pleased to state what progress has been made in connection with the report of the Committee appointed to conduct an inquiry into the hygienic conditions of schools and colleges?

(*b*) Have the orders of the Government of India on the said matter been received?

(*c*) Will the Government be pleased to indicate briefly the recommendations made by the Committee and other authorities in this connection?

Answer by the Hon'ble MR. HORNELL :—

(*a*) Government have approved certain recommendations of the Committee and have instructed the Director of Public Instruction to take action on those which do not involve additional expenditure. They regret that in view of the present financial conditions they are unable to give effect to other proposals of the Committee for which additional expenditure is required.

(*b*) Yes.

(*c*) A copy of the report of the Committee is placed on the table; another copy has been sent to the Hon'ble Member "

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI

XVII. With reference to the answer to my starred question No. 1 of 13th March, 1917, and unstarred question No. XI of 3rd April, 1917, will the Government be pleased to ascertain the amount of deposits which have lapsed since the enactment of section 18 C of the Bengal Tenancy Act, 1885, in each district of the Dacca, Rajshahi and Chittagong Divisions? Landlords'

Answer by the Hon'ble MR. KERR.

"The compilation of the figures asked for would entail an amount of labour which, in the opinion of Government, would be out of proportion to their value."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI

XVIII. With reference to the Government proposal mentioned by the Hon'ble Mr. Cowley in his reply in connection with my resolution of the 14th March, 1917, on the improvement of waterways in the Dacca Division, will the Government be pleased to indicate the main features of the scheme, showing particularly how far it affects the Dacca Division? Improveme waterways Dacca Divi

Answer by the Hon'ble MR. COWLEY.

"The scheme to which I alluded in my speech of 13th March, 1917, is the scheme for a "Grand Trunk Canal" connecting Calcutta with the eastern districts of Bengal and the province of Assam. The scheme, when carried out will benefit all the districts of the Dacca Division. It will shorten the steamer route to Calcutta by more than 100 miles and will diminish the dangers of the voyage."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI:—

XIX. With reference to the proposal for the reopening of survey classes in connection with the Dacca School of Engineering, will the Government be pleased to state what progress has been made in the matter, indicating the exact form of these classes, their curriculum and other particulars referred to by the Hon'ble Mr. Lyon in a speech at the Dacca meeting of the Council on the 7th August, 1916? Reopening survey clas connection the Dacca of Engine

Answer by the Hon'ble MR. HORNELL.

"Government have sanctioned the opening at the Dacca School of Engineering of a class for instruction in simple surveying on a vernacular basis. The entrance qualification is the Middle English or Middle Vernacular standard or the standard of the 4th class of a High English school. A curriculum has been prepared for a course extending over a year, and an Amin's certificate will be granted by a Survey Examination Board. On the completion of the course a student will be eligible for admission to the second year class of the Government Survey School at Mainamati, provided he passes a test in English. It is hoped that arrangements will be completed in time to permit of the class being opened in November."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI

XX. (*a*) Will the Government be pleased to state the names of criminal tribes and their numerical strength in Bengal, and the nature of operations undertaken by Government in regard to them? Criminal tr in Bengal.

(*b*) Are any attempts made to improve them, and, if so, with what result?

Answer by the Hon'ble MR. KERR :—

"(*a*) The following list shows the names of the criminal tribes who reside in Bengal or who from time to time visit Bengal for the purpose of committing crime. In many cases only a portion of the tribes are criminals, and it is not possible to state their numerical strength in Bengal :—

(1) Bediyas,
(2) Bhumij,
(3) Byadhs,
(4) Bagdis, Podes and Kaoras,
(5) Dhekarus,
(6) Gains,
(7) Lodhas,
(8) Tuntia Musalmans,
(9) Mecca Mowallems,
(10) Chotobhagiya Muchis,
(11) Sandars,
(12) Baid Musalmans,
(13) Banfars,
(14) Barwars,
(15) Marwari Bauriyas,
(16) Bhamptas,
(17) Bhurs,
(18) Chhattisgarh Chamars,
(19) Chhapparbands,
(20) Chain Chamars,
(21) Dharhis,
(22) Maghaya Doms,
(23) Palwar Dusadhs,
(24) Chakai Dusadhs,
(25) Jadua Brahmans,
(26) Karwal Nuts,
(27) Kemjaris or Inakoravars,
(28) Mallahs and other river criminals,
(29) Chain Mallahs,
(30) Minkas,
(31) Pasis,
(32) Muzaffarpur Sonars,
(33) Sanauriyas,

(34) Gondas,

and several other mixed gangs composed of different castes.

The Criminal Tribes Act, 1911, has been applied in the case of the following tribes :—

	Tribes declared under section 3 of the Act	Number of persons registered as members of the criminal tribe under sections 4—8 of the Act
1.	Bediyas	69
2.	Three gangs of Bhumij	84
3.	Dhekarus	48
4.	Twenty-one families of Gains	93
5.	Lodhas	245
6.	Seven gangs of Tuntia Musalmans	215
7.	Three gangs of Sandars	106
8.	Bhurs	238
9.	Maghaya Doms	181
10.	Karwal Nuts	862
11.	Gondas	38

The provisions of the Act have also been extended to 29 mixed gangs, composed of different castes and comprising 1,244 members.

The effect of this action is to place the members of the tribes under certain restrictions as to their movements as specified in the Act and in the rules framed thereunder.

(*b*) Operations for the reclamation and improvement of the members of criminal tribes have so far been undertaken only in the case of the Karwal Nuts. A settlement was established in 1915 at Saidpur under the management of the Salvation Army. The Nuts are taught weaving, silk-reeling, gardening, agriculture and needle-work. There is a school attached to the settlement for the education of the children, and though escapes occur from time to time, there are indications of a tendency to settle down. Should the experiment prove a success, it will be extended to other criminal tribes."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXI (a) Have the Government any information as to the existence of iron ore in some parts of the Dacca district? Iron ore in Dacca district

(b) Are the Government considering the desirability of making an expert inquiry into the matter?

Answer by the Hon'ble MR DONALD

"Government have no definite information as to the existence of iron ore in the Dacca district beyond statements that the surface soil contains a fairly high percentage of iron. Further enquiries will be made and expert advice will, if necessary, be obtained."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXII. Will the Government be pleased to state, in connection with the proposed partition of Mymensingh, whether any decision has been arrived at by the Railway Board regarding the alignment of railway between Tangail and Jamalpur? Alignment of railway between Tangail and Jamalpur.

Answer by the Hon'ble MR COWLEY

"The decision of the Railway Board as to the exact alignment which the railway between Tangail and Jamalpur will eventually follow has not yet been conveyed to the Government of Bengal."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXIII. Will the Government be pleased to state, in connection with the proposed partition of Mymensingh, whether the question of the selection of a site for the headquarters of the western district in Mymensingh has yet been determined? Headquarters station of the western district of Mymensingh

Answer by the Hon'ble MR KERR

"The matter has not yet been decided, but His Excellency the Governor proposes to visit the area shortly and to examine the various sites which have been suggested."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXIV. (a) Will the Government be pleased to make a statement showing for the last ten years the number of Bengali students in the Bengal Veterinary College and their proportion to the total number on the roll each year? Bengali students in the Bengal Veterinary College

(b) Is it a fact that the number of Bengali students has fast declined since the last five years?

(c) What steps have been taken by the Government to check the diminution in the number of students as noticed in Government Resolution No. 2126 T.—R. of 10th October, 1912?

Answer by the Hon'ble MR KERR :—

"(a) A statement is laid on the table.

(b) It will be seen that the number of Bengali students during each of the last five years has been less than the number in any of the preceding five years."

(c) Government have urged local bodies to increase their veterinary staff, and the number of veterinary assistants employed by local bodies has risen from 49 in 1912 to 80 in 1916.

In 1915 improvements affecting the conditions of service of veterinary assistants were introduced."

Statement referred to by the Hon'ble MR. KERR *in his answer to question No. XXIV (unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council Meeting of the 3rd July, 1917, showing the numbers of Bengali students of the Bengal Veterinary College and their proportion to the total numbers on the roll during each of the years from 1907-08 to 1916-17.*

YEAR	Total number of students on the college roll.	Number of Bengali students	Percentage of Bengali students to the total number of students on the roll
1907-08	151	107	71
1908-09	132	80	60
1909-10	132	78	59
1910-11	138	82	59
1911-12	110	80	73
1912-13	99	58	59
1913-14	91	44	48
1914-15	96	41	43
1915-16	135	51	38
1916-17	148	54	36

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Promotions in the Bengal Veterinary College.

XXV. (a) Is the post of the Assistant Principal of the Bengal Veterinary College the only high appointment open for competition to the Veterinary graduates of the College?

(b) Is it a fact that the post of the Assistant Principal of the Veterinary College has not been permanently filled up, although it fell vacant more than a year ago? If so, what is the reason for the delay?

(c) Is the said post a Provincial one?

(d) Has it been so since its creation?

(e) Is there any proposal now to give it to an Imperial Service Officer?

Answer by the Hon'ble MR KERR :—

"(a) Officers of the Provincial Veterinary Service of Bengal are eligible for the post of Assistant Principal of the Bengal Veterinary College but not for the post of Principal.

(b) Yes The present incumbent has not been confirmed. This is mainly due to the exceptional circumstances explained in clause (e) of this answer

(c) The Hon'ble Member is referred to the reply to question (a). Provincial Service officers are eligible for the post, though it is not reserved for that service.

(*d*). The post has been held by Provincial Service officers since its creation.

(*e*) No proposal to give the post to any individual officer of the Imperial Service is under consideration. An additional Imperial Service post for the Bengal Veterinary College was sanctioned in 1914, but the post has not yet been filled. When the post is filled Government will consider the claims of the officer appointed to it and of the officers of the Provincial Service for appointment as Assistant Principal

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXVI. Is it a fact that appointments are made in the Bengal Veterinary College, as in the instance of the second Junior Hospital Surgeon without publicly advertising the vacancies? Appointments in the Bengal Veterinary College

Answer by the Hon'ble MR. KERR :—

"The post of the 2nd Junior Hospital Surgeon was filled without the vacancy being advertised. Vacancies in the Bengal Veterinary College are usually advertised on the notice board at the College."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :

XXVII. Are the Government aware of any discontent among the subordinate staff of the Bengal Veterinary College and the Civil Veterinary Department owing to an impression that promotions are made in disregard of seniority of service? Promotions in the Bengal Veterinary College.

Answer by the Hon'ble MR. KERR :—

"No."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :

XXVIII. (*a*) Is teaching any part of the duties of the Principal of the Bengal Veterinary College? Duties of the Principal of the Bengal Veterinary College

(*b*) Does the present Principal take any class or give any lecture to the students?

(*c*) Does he do any teaching?

(*d*) Has he done any teaching work since he came to the College?

Answer by the Hon'ble MR. KERR :—

"(*a*) Yes.
(*b*) No.
(*c*) Yes.
(*d*) Yes."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :

XXIX. Will the Government be pleased to state the number of Union Committees in each district of Bengal, their average annual income and the sources thereof? Number of Union Committees in each District Board and sources of income

Answer by the Hon'ble MR. DONALD :—

"The Hon'ble Member is referred to Appendix E to the Resolution of this Government reviewing the reports on the working of the District Boards in Bengal during the year 1915-16, of which a copy has been sent to him while another copy is laid on the table."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Provision of a park at Shambazar

XXX (*a*) Have the Government received any scheme from the Board of Trustees for the improvement of Calcutta for providing a park at Shambazar?

(*b*) If so, when was the scheme submitted to Government by the Board?

(*c*) At what stage is it now before the Government?

(*d*) When is the scheme likely to be sanctioned?

(*e*) Will the Government be pleased to state—

(*i*) what is the area of the proposed park;

(*ii*) what quantity of land will be given free by the Corporation, and

(*iii*) what is the area proposed to be acquired by the Trust?

(*f*) What quantity of land, if any, is proposed to be made a free gift of by Government out of their khas mahal property on the canal side?

(*g*) What is the total amount of compensation claimed by Government if the land is not to be given free?

Answer by the Hon'ble MR DONALD :—

"(*a*) Government have been moved to sanction the acquisition of land for this purpose

(*b*) The proposals of the Trust were submitted with a letter dated the 25th April, 1917.

(*c*) The proposals are under consideration

(*d*) Government are not at present in a position to say when orders will issue, or what their orders will be

(*e*) (*i*) About 53 bighas

(*ii*) About 11 bighas

(*iii*) About 39 bighas.

(*f*) None

(*g*) The amount is not yet determined"

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Recruitment for the upper and lower grades of the Bengal Secretariat establishment

XXXI (*a*) Will the Government be pleased to state the rules under which recruitment is made for the upper and lower grades of the Secretariat establishment?

(*b*) Have the rules been strictly followed since their promulgation in making appointments in both the grades? If not, what other principle has been adopted?

(*c*) How many appointments were made during the last five years in both grades in the several departments of the Civil and Public Works Secretariat, either in accordance with the rules or otherwise, and what were the qualifications and home districts of the recruits in each case?

Answer by the Hon'ble MR DONALD :—

"(*a*) Recruitment for the upper and lower grades of the Secretariat establishment is made under the rules published under Notification No 4122 Mis., dated the 24th November, 1911. These rules have recently been amended by Notification No 890 T.—Mis., dated the 5th June, 1917.

(*b*) The rules have not been strictly followed. Candidates with the required qualifications have not been forthcoming for the Lower Division, and no examination was held during the years 1910—15. An examination was held in 1916 at which four candidates appeared but none of them passed successfully. Recruitment for the Upper Division was disorganised on the reconstitution of the province in 1912, followed by the creation of a fourth Secretaryship and the transfer of part of the work of the Board of Revenue to the Revenue and Financial Departments. The exigencies of the reorganised offices necessitated free recourse to the powers vested in the head of the office by rule 20 of selecting men of special ability and aptitude. The principle adopted has been to select the best candidates available, subject to retaining a certain proportion of the posts for Muhammadans.

(*c*) A statement is laid upon the table containing the information required by the Hon'ble Member."

Statement referred to by the Hon'ble MR. DONALD *in his answer to question No. XXXI (unstarred) asked by the Hon'ble* BABU BHABENDRA CHANDRA RAY *at the Council Meeting of the 3rd July, 1917, showing the number of appointments filled up in the Upper and Lower Divisions in several Departments of the Civil and Public Works Secretariat during 1912—1916.*

Names of department.	Number of appointments.	Qualification of recruit.	Home district of recruit.	Vacancies how filled up.
Departments under the Chief Secretary.	In the Upper Division, 11.	3 M.A. ... 3 B.A. 1 Undergraduate. 2 Read up to the Matriculation Standard. 1 Passed Senior Cambridge Local Examination. 1 Information not available (Anglo-Indian; since dead.)	1 Howrah ... 1 Burdwan. 3 24-Parganas. 3 Calcutta. 1 Dinajpur. 2 Information not available.	3 By promotion from the Lower Division. 3 Recruited from the Eastern Bengal and Assam Secretariat. 1 Unsuccessful nominee for the Provincial Service. 4 Direct appointment.
	In the Lower Division, 18.	6 B.A. ... 1 B.Sc. 4 Undergraduates. 5 Read up to I.A. 1 Read up to the 6th Standard. 1 Information not available (Anglo-Indian; since left office).	1 Hooghly ... 2 Faridpur ... 1 Howrah ... 5 24-Parganas ... 1 Calcutta ... 1 Jessore ... 1 Nadia ... 3 No information (since left office).	Direct appointment.
Departments under the Revenue Secretary.	In the Upper Division, 5.	2 B.A. ... 2 Read up to F.A. Standard. 1 Read up to the Entrance Standard.	1 Khulna ... 1 Darbhanga. 1 Calcutta. 1 Dacca. 1 Birbhum.	2 By transfer from the office of the Board of Revenue. 2 Recruited from the Bihar and Orissa Secretariat. 1 By promotion from the Lower Division.
	In the Lower Division, 8.	1 B.A. ... 6 Undergraduates. 1 Passed Entrance.	3 24-Parganas ... 2 Pabna ... 1 Bankura ... 1 Khulna ... 1 Bakarganj ...	By the appointment of temporary assistants in the Department.

Names of departments	Number of appointments.	Qualifications of recruits	Home district of recruits	Vacancies how filled up
3. Departments under the Financial Secretary.	In the Upper Division, 9.	2 B.A. ... 3 Passed High School Examination. 4 Undergraduates.	6 Calcutta ... 1 24-Parganas. 1 Nadia. 1 Sylhet.	5 By promotion. 2 Recruited from the Eastern Bengal and Assam Secretariat. 2 Direct appointment.
	In the Lower Division 12.	3 B.A. ... 2 B.Sc. 1 Passed Clerkship Examination. 5 Undergraduates. 1 Read up to Matriculation Standard.	3 Calcutta ... 3 Hooghly. 1 Dacca. 1 Sylhet. 1 Bankura. 1 Shahabad. 1 Jessore. 1 Malda.	6 By the appointment of temporary assistants in the Department. 1 By the appointment of a candidate who appeared at the Clerkship Examination in 1909. 1 Recruited from the Eastern Bengal Subordinate Executive Service. 1 Recruited from the Police Service. 3 Direct appointment.
4. Departments under the General Secretary	In the Upper Division, 5	1 Passed High School Examination. 1 Undergraduate. 2 Passed Matriculation Examination. 1 Passed Entrance.	1 Calcutta ... 1 Burdwan. 2 Dacca. 1 Bahari Muhammadan.	2 By promotion from the the Lower Division. 2 By transfer from Education Department. 1 Recruited from Bihar and Orissa Secretariat.
	In the Lower Division 6.	1 B.A. ... ... 3 Undergraduates. 1 Passed High School Examination. 1 Passed Matriculation Examination.	1 Barisal ... 1 Faridpur ... 1 Hooghly ... 1 Calcutta ... 1 Nadia ... 1 Dacca ...	By appointment of temporary assistants in the Department
5. Departments under the Public Works Secretary.	In the Upper Division, 9.	1 M.Sc. ... ... 3 B.A. 3 Undergraduates. 2 Passed High School Examination.	2 Calcutta ... 2 24-Parganas. 1 Murshidabad. 1 Nadia. 1 Dacca. 1 Chandernagore. 1 London.	5 By promotion from the Lower Division. 2 By unsuccessful nominees for the Provincial Service. 2 Direct appointment.
	In the Lower Division, 13	5 B.A. ... ... 5 Undergraduates. 3 Passed High School Examination.	1 Jessore ... 2 Noakhali. 1 Dacca. 2 Faridpur 5 Calcutta. 1 Howrah. 1 Sylhet.	6 Probationers. 7 Direct appointment.
6. Legislative Department.	In the Upper Division, nil.			
	In the Lower Division, 6.	1 B.A. ... ... 2 Qualified as shorthand writers. 1 Passed Matriculation Examination. 2 Qualified as typists.	2 Burdwan ... 1 Howrah ... 1 24-Parganas ... 1 Bakarganj ... 1 Calcutta ...	Direct appointment

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXXII (*a*) Are persons dealt with under the Defence of India Act allowed to be visited by their lawyers at any time?

Interviews by lawyers and relatives of persons interned under the Defence of India Act

(*b*) What provisions, if any, are there for interviews by lawyers and relatives of persons during their detention under Rule 12 A of the Defence of India Rules?

(*c*) Is there any provision in the said rules prohibiting such visits and interviews as are referred to in (*a*) and (*b*) above?

Answer by the Hon'ble Mr KERR —

"(*a*), (*b*) and (*c*) Applications by both relatives and lawyers to interview persons dealt with under the Defence of India Act are freely made and granted. There is no general prohibition of such interviews, but a prior application must be made and permission obtained."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXXIII (*a*) Is formal intimation given to the families of interned persons as to their place of internment or the change of their place of internment?

Intimation to families of interned persons as to their place of internment

(*b*) If so, how long after the order of internment or such change is such intimation given?

(*c*) If no intimation is given, are the Government considering the desirability of making arrangements for supplying such information as promptly as possible?

Answer by the Hon'ble Mr KERR —

"(*a*), (*b*) and (*c*) No such formal intimation is at present given or contemplated. Interned persons have the opportunity of writing letters to their families, and many of their relatives obtain information direct by personal interviews with the Additional Secretary."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXXIV (*a*) Are the Government considering the desirability of reporting every case of illness among *détenus* to their relatives? Illness of *détenus*

(*b*) Has there been any instance of death or mental derangement among these persons either during the period of detention under Rule 12 A, or while a subsequent order of internment was in force against them or from the effects of any malady contracted during such periods?

(*c*) If so, will the Government be pleased to make a statement giving all the information at their disposal regarding each of any such cases?

(*d*) Is there any provision for the attendance of medical men upon interned persons?

(*e*) If so, at what intervals are they visited by medical men?

Answer by the Hon'ble Mr KERR :—

"(*a*) As the *détenus* have the opportunity of informing their relatives regarding any illness, of which they take full advantage, Government have not considered the desirability indicated in the question.

(*b*) and (*c*) There has been no case of any person becoming insane during his compulsory domicile. There has recently been a case in which epileptic insanity was alleged but after the *détenu* was brought to headquarters and kept under observation for some time, the Civil Surgeon held that the allegation was groundless.

There has been one case of suicide; in that case the Superintendent of Police had visited the *détenu* only the previous day and found him well, his brother had also visited him on the same day.

There has been one case of death from fever

(*d*) and (*e*) There is no regular medical inspection such as is suggested in the question, facilities for obtaining medical help are given when necessary."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Visits by relatives and lawyers to persons interned.

XXXV. (*a*) Are persons dealt with under the Defence of India Rules allowed to be visited by members of their family or lawyers before they are interrogated by the police?

(*b*) Are confessions of persons under detention recorded in the absence of any Magistrates?

(*c*) Are interned persons ever placed before Magistrates before or at the time they are required to make any statement?

(*d*) Are all statements or confessions made by such persons read over to them?

Answer by the Hon'ble MR KERR :—

"(*a*) The Hon'ble Member is referred to the answer given to question No XXXII

(*b*) and (*c*) Several admissions regarding the revolutionary movement in Bengal have been made by persons participating in the same Should the deponent, in any particular instance, wish to make his statement in the first instance to a Magistrate or to repeat it to a Magistrate, he is given an opportunity of doing so.

(*d*) Either they read the statements themselves or such statements are read over to them."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Statements of *détenus.*

XXXVI. (*a*) Is any statement in writing made over to persons dealt with under the Defence of India Act stating the charges upon which they have been so dealt with?

(*b*) If so, in how many instances have such statements in writing been made over to such persons?

(*c*) If not, are the Government considering the desirability of making provision for such statements being made over to these persons?

Answer by the Hon'ble MR. KERR :—

"(*a*), (*b*) and (*c*) The early procedure followed was that described in answer to question No. 3 (*a*) of the Hon'ble Babu Ambica Charan Mazumdar on the 4th September, 1916. For some months past, however, the charges have been reduced to writing and written replies are taken. The person concerned is invited to sign the paper, to indicate that he has understood the charges. The original charges and the answers are forwarded, with the other papers of the case, to Government. Government see no reason to alter the present practice."

By the Hon'ble BABU BHABENDRA CHANDRA RAY

XXXVII. (*a*) Are persons dealt with under the Defence of India Act induced required or compelled to submit any written explanation in reference to any written or oral statement of the charges against them? Explanations *detenus*

(*b*) In how many instances have such persons submitted such written explanations?

(*c*) Who are the persons who consider these explanations are they the same officers on whose advice action under the Defence of India Act was ordered?

(*d*) Are such *detenus* allowed to consult any lawyers before submitting their explanations? If so, how?

(*e*) In how many cases were such persons allowed to consult lawyers or relatives before being called upon to make any statement?

Answer by the Hon'ble MR KERR —

"(*a*) and (*b*) No compulsion of any kind is used Each person concerned is invited to submit a written explanation either in substitution of, or in addition to, his oral explanation but in the majority of cases, advantage is not taken of that opportunity

(*c*) These explanations are finally considered by the local Government

(*d*) and (*e*) As stated in answer to question No XXXII, there is no bar to *détenus* consulting lawyers or relatives in jail, but at the time when charges are put to them, they are invited to give their own answers"

By the Hon'ble BABU BHABENDRA CHANDRA RAY

XXXVIII (*a*) Is it a fact that some persons dealt with under the Defence of India Act were handcuffed and put in prison dress? Alleged handcuffing of *detenus*

(*b*) Is it a fact that persons dealt with under the Defence of India Act are sometimes kept in cells during their period of detention under Rule 12 A of the Defence of India Rules?

Answer by the Hon'ble MR KERR

"(*a*) It is not a fact that persons dealt with under the Defence of India Act are dressed in prison dress The use of handcuffs is also prohibited in such cases

(*b*) The answer is in the affirmative"

By the Hon'ble BABU BHABENDRA CHANDRA RAY

XXXIX (*a*) Are the Government aware that there is a belief in the country that persons dealt with under the Defence of India Act are sometimes subjected to torture? Alleged torture *détenus*.

(*b*) Are the Government aware of the case of Nalini Kanta Ghosh, of Narayanganj subdivision, who stated in open court at Dacca before Special Commissioners that he was subjected to torture by the police officers while in Calcutta?

(*c*) How many applications or other information have been received regarding such cases of torture, and in connection with which of the *détenus*?

(d) What inquiry has been made by Government in the case of Nalini Kanta Ghosh and other such cases, if any?

Answer by the Hon'ble MR. KERR :—

"(*a*), (*b*), (*c*) and (*d*) The Hon'ble Member is referred to the answer to question No. VI (13), given in the Imperial Legislative Council by the Hon'ble Sir Reginald Craddock on the 21st March, 1916, in answer to the Hon'ble Mr Bhupendra Nath Basu.

As regards the case of Nalini Kanta Ghosh, who absconded from internment and is still untraced, this has already been a subject of inquiry."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Visits to *detenus* by non official visitors.

XL. Is there any arrangement for non-official visitors visiting persons dealt with under the Defence of India Act while under detention, as in the case of ordinary prisoners in jail?

Answer by the Hon'ble MR. KERR :—

"No special arrangements have been made."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Production of *détenus* before a Magistrate before being removed from Dullunda House.

XLI. (*a*) Is it a fact that some among the arrested persons are brought to Calcutta and kept in Dullunda House while under detention under Rule 12A of the Defence of India Rules?

(*b*) If so, are the Government considering the desirability of making provision for the production of such persons before some Magistrate at the time of their being taken out from Dullunda House before being sent elsewhere?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*b*) Some persons have been temporarily domiciled in Dullunda House, Calcutta, under the Defence of India Act, pending further investigation. The production of such persons before a Magistrate does not arise."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Education of *détenus*.

XLII. (*a*) In the case of boys who were actually at school or college before being dealt with under the Defence of India Act, what provision, if any, is made for their education while under detention?

(*b*) How many applications have up to date been made by *détenus* for permission to appear at University or other departmental examinations, and how many of them have been granted?

(*c*) What are the reasons for refusal in the other cases?

Answer by the Hon'ble MR. KERR :—

"(*a*) Any continuance of their studies during detention would be by way of private reading.

(*b*) and (*c*) In a few cases permission has been given to *détenus* to leave a domicile for the purpose of attending an examination, but it has been made perfectly clear to them and their relatives that permission to appear at the examination rests ultimately in the discretion of the Educational authorities. Where permission has been refused, it was for the general reason that in the circumstances of the individual case it did not seem suitable that the privilege should be allowed."

By the Hon'ble BABU BHABENDRA CHANDRA RAY —

XLIII (*a*) Is it a fact that a Bengali lady has been dealt with under the Defence of India Act? Detention of Bengali lady the Defence India Act

(*b*) If so, will the Government be pleased to make a full statement regarding the arrangement that has been made for her detention?

Answer by the Hon'ble MR KERR :—

"(*a*) and (*b*) The individual in question has been dealt with under the Ingress into India Ordinance She was found to be assisting absconding Bengal revolutionaries Every endeavour was made to place her in the hands of philanthropic bodies or with her relatives, but the latter were not prepared to take her in their charge and she refused to stay with any of the former She has, accordingly at her own request, been interned in jail"

By the Hon'ble BABU BHABENDRA CHANDRA RAY

XLIV (*a*) In the case of persons kept in solitary confinement in jails under Rule 12 A of the Defence of India Rules, are books and writing materials supplied to them as a rule? Supply of bo and writing materials to *détenus*

(*b*) If so, of what kind are they generally?

(*c*) Is it a fact that in some cases paper, pencil and ink are not allowed?

Answer by the Hon'ble MR KERR

(*a*), (*b*) and (*c*) Persons who are detained up to the limit of one month under the Defence of India Act are allowed writing materials when they ask for them"

By the Hon'ble BABU BHABENDRA CHANDRA RAY

XLV (*a*) What is up to date the number of persons arrested under the provisions of the Defence of India Act on suspicion and subsequently released, either Prohibition employment persons rele under the De of India Act

(*i*) as being altogether innocent; or
(*ii*) after a warning?

(*b*) Is it a fact that a circular has been issued recently prohibiting the employment of such persons as teachers or employees, or if they are students prohibiting them to resume or continue their studies in schools and colleges?

(*c*) If so, will the Government be pleased to lay a copy of the same on the table?

Answer by the Hon'ble MR. KERR —

(*a*) It is understood that the Hon'ble Member refers to releases by the police before any orders of domicile were passed, and not to release from domicile Out of persons arrested under the provisions of the Defence of India Act, since May 1915, the number of those who have been subsequently released as innocent is 25. In 10 of these cases the arrests were due to mistaken identity owing to the similarity of names, of the remaining 15, 8 were given the benefit of the doubt and 7 held to be innocent The number of those arrested and released after a warning was 4

(*b*) and (*c*) It is not a fact that a circular has been issued recently prohibiting the employment of such persons or the continuance of their studies In the case of those who have been released after warning, it has been laid down as a proper principle that, in the interests of the other boys and of school discipline the school or college authorities should consult the District Magistrate as to the readmission of such students"

Babu S. N. Ray; Maulvi Abul Kasem.

RESOLUTIONS

(*under the rules for the discussion of matters of general public interest*).

LIST OF BUSINESS—ITEM No. 3.

The following resolution stood in the name of the Hon'ble BABU SURENDRA NATH RAY :—

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This Council recommends to the Governor in Council that Shorthand-writers be appointed, as early as practicable, in all Sessions Courts, to take down the charge as delivered by the Sessions Judge to the Jury.

He said :—

"My Lord, I pray that this resolution may be postponed till the opinion of the High Court is received by Your Excellency's Government."

The discussion of the resolution was then, by leave of the President, postponed to the next Calcutta Meeting of the Council.

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LIST OF BUSINESS—ITEM No. 4.

The following resolution stood in the name of the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

This Council recommends to the Governor in Council that in completing the embankment on one side of the Beel route canal, in the district of Faridpur, for which a provision has been made in the Budget estimates for 1917-18, steps be taken to provide a sufficient number of sluices in the embankment, and that wooden bridges be constructed over every village *khal* falling in the line of this embankment.

The Hon'ble Member being absent, the resolution went by default.

LIST OF BUSINESS—ITEM No. 5.

The following resolution stood in the name of the Hon'ble MAULVI ABUL KASEM :—

This Council recommends to the Governor in Council that public associations in the Presidency and non-official members of the Legislative Council, be invited to express their opinion on the Report of the Royal Commission on the Public Services in India.

He said :—

"My Lord, after the statement by the Hon'ble Mr. Kerr in reply to the question put by the Hon'ble Babu Kishori Mohan Chaudhuri, I beg to withdraw this resolution.

The resolution was then by leave of the President withdrawn.

LIST OF BUSINESS—ITEM No. 6.

The Hon'ble MAULVI ABUL KASEM moved the following resolution :—

This Council recommends to the Governor in Council that work may be suspended in all public offices on Fridays for an hour between 12-30 P.M. and 2 P.M., to enable Muhammadan employés to attend and say their *Juma* prayers.

Maulvi Abul Kasem ; Sir S. P. Sinha.

He said :—

"My Lord, the prayer contained in this resolution is a very simple one, and I do not think that many words are needed from me to commend it either to this Council or to your Excellency's Government. I am aware, my Lord, that there is a Government Circular which lays down that Muhammadan employés in public offices may absent themselves for an hour on Fridays for the purpose of attending their prayers, but there is a proviso in that Circular which practically nullifies its effect. The Muhammadan employé has to undertake to make up for the loss of time and work by working some extra hours on other days. This causes great hardship and inconvenience. The Muhammadan employé cannot go for his prayers without the permission of his office master and immediate superior, and does not venture to go if this permission is reluctantly given as he is afraid that by doing so he will incur the displeasure of his master and will be made to work extra hours at most inconvenient times. Consequently he is obliged to give up his prayers and this is certainly very hard. Besides the Muhammadan employés there are the Muhammadan public who have got business in courts and offices and have to attend to them during office hours; this resolution is intended to remove the inconvenience of these Muhammadans. There will be no harm done in suspending business for an hour or so, because work is generally suspended for lunch. Why not fix that hour between 12-30 and 2 P.M. on Fridays. Muhammadan employés will then be able to attend their prayers, without the danger of offending office masters and the Muhammadan public, pleaders, mukhtears and others, will also be able to say their prayers without inconvenience or loss. The question is of very great importance to the Muhammadans with whom attendance at prayers is not only a pious act but its omission is a positive sin. I appeal, my Lord, that Muhammadan employés and those having business in public offices and Courts should not be placed in circumstances which would leave them between two alternatives of either suffering material loss or committing a sin. With these words, My Lord, I commend this resolution for the acceptance of this Council."

The HON'BLE SIR S. P. SINHA said :—

"My Lord, I regret that, on behalf of the Government, I am unable to accept this resolution. I think that Hon'ble Members will recognise that in the past Government have tried, at any rate, to afford every possible facility to Muhammadans for the performance of their religious duties. In 1912, on the representation of certain non-official Muhammadan gentlemen, a circular letter, which has been referred to by the Hon'ble Mover of the resolution, was issued by Government, and by it all officers were directed to give permission to such Muhammadan employés as asked for it to absent themselves from office for the purpose of saying their *juma* prayers on Fridays. No doubt, there is the proviso that has been referred to, namely, that permission has to be asked for, secondly that, if necessary, the official, who avails himself of that permission, may have to make good the time which he employs at prayers. At the time when this order was passed, the Muhammadan gentlemen who had asked for such an order expressed themselves as fully satisfied with the concession made. Since the Hon'ble Mover gave notice of this resolution I have caused inquiries to be made practically from all public officials—Commissioners of Divisions, District Judges, District Magistrates and so forth; and from the answers received, it is quite clear to me, and I think my hon'ble friend must have been misinformed with regard to it, that the majority of Muhammadan officials have freely availed themselves of this order. There has been no expression of dissatisfaction or discontent with regard either to permission not being given or with regard to their being made to work during hours

they ought not. Towards the end of the last year the Hon'ble Mover gave notice of a resolution by which he asked that, so far as courts were concerned, not only officers but all persons having business to do in the courts either as pleaders, mukhtears, witnesses of parties should have the same privilege. He asked that the courts should adjourn regularly on Fridays, between 12 and 2 P.M., for the purpose of enabling Muhammadans to attend to their *juma* prayers. The matter was under the exclusive jurisdiction of the High Court as concerning the practice and procedure of the courts, and accordingly it was referred to the High Court. In their answer to this Government, the High Court pointed out that there were already facilities provided for the purpose by two circular letters of 1899 and 1904, respectively, and they expressed the opinion decidedly that further concessions were unnecessary and would interfere with the despatch of judicial business. That reply was communicated to my hon'ble friend and upon that he withdrew the resolution, and I take it that when he did so he thought that it was not practicable to allow the further concession which he had asked for. The matter should have ended there, but my hon'ble friend has returned to the charge and this time with a proposal still wider, because he asks not only that there should be an adjournment of all judicial work but of all business in all public offices during a particular hour or hours on Fridays. Now, if the High Court are right, and I think they are, in saying that the concession is unnecessary and might seriously interfere with the despatch of business, I leave it to the Council to consider as to how much more it would lead to dislocation of business if any such rule was applied to all public offices. I believe all reasonable facilities exist under the rules for the purpose of enabling members of the Muhammadan public to perform their religious duties. Government are anxious that they should have these facilities, and if we were satisfied that these facilities were not enough, we would have been glad to accept the resolution of my hon'ble friend. However, as existing concessions are sufficient in themselves and further concessions in this respect would interfere seriously with the due despatch of business, I must invite the Council to reject this motion."

The Hon'ble MR. RASUL said :—

"My Lord, I have heard the Hon'ble Mover and also the Hon'ble Member in charge. No doubt, the Muhammadans will be satisfied with the reply that the Hon'ble Member has given so far as it goes. But, my Lord, there have been complaints from different parts of the Province and especially from the division which I have the honour to represent here. Many Muhammadans have complained that whenever they have asked for leave, leave has sometimes not been given and whenever it has been given, it has been given rather reluctantly. With regard to one part of his reply, that is to say, that there are facilities I submit that they are not sufficient. The Government should be prepared to consider the question later on. But I may suggest that if the Government are not prepared to give one hour as my hon'ble friend the mover has suggested in his resolution, even three quarters of an hour ought to be quite sufficient for the purpose, and I do not think that this will dislocate business in any way. I therefore pray that this resolution be accepted by Government with this amendment that instead of one hour it should be three quarters of an hour."

The Hon'ble MR. IRWIN said :—

"My Lord, in the interests of the tax-paying public and business community, I oppose this resolution.

On referring to the calendar I find there are at present no less than thirty-three Government holidays. I also find that there are forty-six working Fridays in the year, holidays falling on the other six.

Mr. Irwan; Maulvi Fazl-ul-Haq.

The Hon'ble Member, the mover of this resolution, proposes that work should be suspended in all Government offices for an hour on each Friday. Thus, not counting the time necessarily lost in preparing for cessation and again for resumption of work, forty-six hours or no less than practically seven working days will be lost each year which would have the effect of adding more than 20 per cent to the already long list of holidays. It practically therefore amounts to this, either Government offices are at present working seven days, during which time in future they will have to work or the establishment will have to be increased in proportion in order to make up for the time lost.

Moreover the effect, which a resolution of this sort will have on the labouring classes in mills, factories, in fact in every business of any description throughout India, must be considered. If Government initiate a change of this sort will it not be demanded all over the country and if not conceded cause very serious dislocation or unrest?

On these grounds therefore, my Lord, I strongly oppose this resolution."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"MY LORD, I beg to support this resolution, but in doing so I hope I shall not be misunderstood. I am afraid my hon'ble friend who moved this resolution has asked a good deal too much. Perhaps he had in his mind the well known proverb—'he who aimeth at the sky, shoots higher than the one who aimeth at the tree.' On the last occasion when a similar resolution was brought before this Council, the recommendation was as regards the closing of the business in mufassal courts. I do not know if it would be at all practicable or convenient for all offices to suspend their business, but this much I must say, that it is certainly necessary that some directions should be given by your Excellency's Government that the business in mufassal courts should be suspended for a sufficient time in order to allow Muhammadans to perform their *juma* prayers. I can well understand, and I think there is absolutely no doubt on this point, that Government is always anxious to render all possible assistance in order to enable Muhammadans, and for the matter of that followers of other religions, to attend to their religious duties as much as possible. I believe that the Circular that has already been referred to does to a certain extent enable Muhammadans to say their *juma* prayers whenever necessary. But I believe that a little misapprehension exists in the mind of the Hon'ble Member who has replied on behalf of Government as regards the efficacy, if I may say so, of that circular. It is true that there is this circular and a recommendation has gone out that facilities should be given to Muhammadans whenever they want to absent themselves for the purpose of saying their prayers. The High Court no doubt has laid it down that there should be an interruption of business, but the High Court has not indicated when that suspension of business ought to take place. It lies in the discretion of the Magistrates to suspend at 12 or at 3-30 or at any other time, for half an hour or so. But this suspension may be absolutely useless for the purpose of Muhammadans going to their prayers. I know of a certain case in which difficulties did arise, and in which the presiding officer actually refused to allow a Muhammadan gentleman to leave the court to say his prayers. I think the hon'ble mover mentioned the case when moving the resolution. In the district of Burdwan there was a case in which the accused happened to be a Muhammadan, the complainant was a Muhammadan, the witnesses were Muhammadans and, quite unusually, the mukhtear who was defending the accused happened to be a Muhammadan. He intimated to the court that it was time for *juma* prayer and wanted permission to go out; he also intimated that the next case was ready and that he had spoken to his Hindu friend who was quite willing to

argue the case, so that in the meanwhile he might go out and say his prayer. But, strange enough, the presiding Magistrate refused permission, with the result that the Muhammadan mukhtear could not leave the court and had to forego saying his *juma* prayer. My hon'ble friend knows more about the facts of the case than I do. As a matter of fact, a complaint to this effect was sent to me by a certain gentleman from Burdwan. Whether this really happened or not is not the point, but it is a case which might happen. We all know that District Magistrates are a very considerate body of public servants: so far as they are concerned there can be no difficulty but there are other Magistrates who are always puffed up with a sense of their own dignity and who sometimes think that even the granting of a reasonable prayer is an insult to their dignity. There are Deputy Magistrates who think themselves to be pocket editions of the Governor of Bengal. It is with such Magistrates that difficulties do arise and when even reasonable prayers are made they are refused, and when such prayers are refused, Muhammadans are greatly inconvenienced. What is therefore necessary is this—that a circular should go out from your Excellency's Government stating that the period which the High Court has intimated should be the period of suspension of business should, on Fridays, be some time between 12 and 2 P.M. There should be no discretion left to the Magistrate, and if that is done, all causes for complaint will disappear. It may not be quite convenient for all offices to suspend their work but it is certainly convenient for mufassal courts to suspend business for a sufficient period in order to allow Muhammadans to say their prayers. All that is wanted is that a new circular should be issued fixing the time for the suspension of business on Fridays which the courts have to make under the High Court rules. If that is done, all causes of complaint will disappear. With these few words I beg to support the resolution."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, I do not think that I can add usefully to what I have already said.

"There is just one word I should like to say with reference to the incident to which my friend the Hon'ble Maulvi Faz-ul-Haq has referred with regard to Burdwan. I believe it formed the subject-matter of a question in Council and if I am not mistaken that question was put by the Hon'ble Maulvi Abul Kasem. It was found on inquiry—and the reply was accordingly given—that it happened in this way: there were two mukhtears—one Hindu and the other a Muhammadan. I believe the Hindu was conducting the case and the Magistrate said that it was not necessary to adjourn the case as the Hindu mukhtear might go on while the Muhammadan mukhtear went out to say his prayers. I believe that was the incident referred to and that the above was found on inquiry. I do not think that this is an instance of a very heinous offence committed by an official. But I quite agree with my hon'ble friend that if discretion is given to anybody, even with the best desire to exercise it properly, it will sometimes be abused. I quite agree that there is a possibility of that. Even if you lay down a rule, people who are determined to go wrong, will always do so. But there is always a possible remedy in all those cases. If there is a wrong, the matter has only to be brought to the attention of the superior officers and I cannot but believe that the grievance would be remedied at once.

"I should also like to point out to my hon'ble friend, Mr. Rasul, that I have got the replies from all the officers who have been consulted with regard to this matter and taking Tippera to be the district which my friend referred to as his own, this is what the District Officers say:—The District Magistrate points out that practically everyone of the officers employed in his office—out of 32 employés, 28 have always taken advantage of this concession. The District Judge says that the Muhammadan employés in the civil

Sir S. P. Sinha ; Maulvi Abul Kasem.

courts have always taken full advantage of the concession. So it does not appear from the reports that are in my hands that there is serious cause for complaint in the district of Tippera. Under these circumstances and also for the very weighty reasons to which one of the hon'ble members has referred, I am afraid, it will not be possible for us to accede to the request."

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord, with reference to the statement made by the Hon'ble Member on behalf of the Government that an inquiry was held about the Burdwan incident, I beg to say this : True it is that the question was put and an answer was given in the Council to the effect that a Hindu mukhtear was appearing with a Muhammadan mukhtear. But this answer was supplied by the District Magistrate who in his turn got the answer from the Deputy Magistrate in question. And the answer was not correct. There was only one mukhtear in the case and he was a Muhammadan who was the aggrieved party. I wanted to refer to the matter again but so far as Burdwan is concerned we had got the concession and I did not think it necessary to pursue the matter further.

With reference to the statement made by the Hon'ble Mr. Irwin that the grant of this concession would tell very much on the tax-payers of Bengal as it would cause loss of work for an hour or so for 46 working Fridays, I would like to say that, if the interests of the poor tax-payers of Bengal are to be considered in this connection, then the 52 Sundays should be made working days and I may add that in a province where the Christian population is negligibly small there is no justification for observing Sundays as holidays.

The Hon'ble Member in charge has said that all officials will be glad to give permission to their Muhammadan employés to absent themselves for the purpose of saying their *juma* prayers. That is true so far as the higher officials are concerned. When I was speaking of office masters I was not referring to District Magistrates or District Judges, but I had in my mind the case of subordinate officials like sheristadars and Superintendents who have Muhammadan employés under their immediate control and to whom the presence of Muhammadans in the office is seldom welcome. If they have to give such permission to their Muhammadan employés they do it reluctantly and the Muhammadans are made to work extra hours during other working days and have to work in excess of the loss caused by their absence for *juma* prayers. I therefore think that it is necessary that a circular be issued which will remove these difficulties. Muhammadans are now given some facilities to enter public offices and the Muhammadan public are also now realizing their rights and privileges and it is time that in a province where the Muhammadan population preponderates they should be given every facility for attending to religious duties. I do not, however, press this resolution, but I hope and trust that Government will give it their full and careful consideration."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 7.

The following resolution stood in the name of the Hon'ble MAULVI ABUL KASEM :—

This Council recommends to the Governor in Council that Government do take into consideration the amendment of the Bengal Municipal Act, 1884 (Ben. Act III of 1884), and of the Bengal Local Self-Government Act, 1885 (Ben. Act III of 1885), with a view to increasing the proportion of elected members in Municipalities, District and Local Boards, respectively, and that

such changes be made in the election rules as may be necessary to provide for an adequate and effective representation of Muhammadans on those bodies.

He said :—

"My Lord, I ask for permission to postpone moving this resolution to the next Calcutta Meeting of the Council."

The resolution was accordingly, by leave of the President, postponed.

LIST OF BUSINESS—ITEM No. 8.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY moved the following resolution :—

This Council recommends to the Governor in Council that the rules made under the Bengal Tenancy Act, 1885 (VIII of 1885), relating to the realisation and transmission of landlord's fees, be so amended as to ensure that, in the case of joint landlords, the individual share of such fees amounting to annas four or more, shall be transmitted to them separately by money-order as in the case of a sole landlord.

He said :—

"My Lord, with reference to the realisation and transmission of landlord's fees the law provides that whenever a transfer of or succession to a permanent tenure takes place, a fee called the landlord's fee of 2 per cent. on the annual rent of the tenure together with the cost necessary for the transmission of the same to the landlord shall be realised from the tenant becoming entitled to the tenure and the Collector, with whom the fee is to be deposited, shall cause it to be transmitted to and the notice of the transfer to be served on the landlord, in a manner to be prescribed by the Government from time to time. This, in brief, is the law as it now stands after the amendments made in 1907 in the main Tenancy Act, 1885. Prior to these amendments of 1907, no transmission fee was realised nor was the Collector required to transmit the landlord's fee to him by money-order ; instead this fee used to be paid out to him only on his application to the court. With regard to the landlord's fee itself, it was only in 1885 that a scale of this fee was fixed and a clearly defined principle was laid down regarding the transfer of permanent tenures and its subsequent recognition by the landlord. Act VIII of 1885, while protecting the transferee from the risks of non-recognition by the landlord, also provided for a definite income to the latter by introducing a system of landlord's fee. The Tenancy Acts of 1859 and 1869 did not contain any provision for this fee and this fact led to constant frictions between the tenants and the landlords who, according to the established usage and custom of the country, always insisted on realising some sort of fees before recognising the successions to and transfers of permanent tenures. The action of the Government in 1885, though it somewhat encroached upon the vested rights of the zamindars, yet both they and their tenants were undoubtedly grateful to the Government inasmuch as it removed certain grievances of the raiyats and also provided for some income to the zamindars which till then was looked upon as a kind of extortion practised by them. But the scale of this fee was so low that in many instances it was hardly worth the while of the zamindars to apply for its refund. They also hesitated to accept these payments fearing that this acceptance might be used as an evidence against them regarding the permanence, the amount or fixity of rent, the area, the transferability or any other incident of the transferred tenure about which there might be some doubts. The result was that a large portion of the fees deposited

with the Collectors were not claimed at all. But the Government were not unmindful of the difficulties of the zamindars in this matter and we have further reason to be grateful to the Government for coming to our rescue in 1907. In the amended Act of 1907, in sections 18A and 18B, it is laid down that the acceptance of such fees will not be regarded as an admission regarding any incident of the transferred tenure and sections 12, 13 and 15 provide that in addition to the prescribed fees a transmission fee is to be realised from the interested party and the Collector is to remit the landlord's fee per money-order, to the landlord, in the prescribed manner. So far as the law itself is concerned its meaning is plain, it makes no distinction between a sole landlord and a group of joint-landlords and we have nothing to complain against it, but in the little phrase "prescribed manner" the Government have reserved a right to prescribe the forms of notice to be served on the landlords as also the rules which are to govern the service of the notices and the transmission of the landlord's fees. I am constrained to say that the forms of notice and the rules of procedure have been so prescribed that the joint-landlords have to undergo a lot of inconvenience and unnecessary expense in order to get back their dues from the Government. But the extreme care and sympathetic attitude which the Government have all along evinced towards the zamindars in this respect embolden me to bring forward this modest resolution before this Council; and I am quite hopeful that it will be accepted when the poor lot of the joint-landlords is brought to the notice of the Council. Those of my collegues here who are connected with zamindari management and those official members who have held charge of district administration are quite conversant with the difficulties of the joint-landlords. Under rule 27 of the Bengal Tenancy Act the fee due to a sole landlord is transmitted to him by money-order, but in the case of joint-landlords rule 28 purports to say that an application is to be made by them to the Collector for the payment of their dues and the form of notice to be served on them contains the following :—

'Take notice ..... that the landlord's fee will be held in deposit at the Collector's office till applied for by you and your co-sharers..... The amount stands to your credit and will be paid to you and your co-sharers..... on application or it will be sent by money-order to any person whom you and your co-sharer may jointly desire to be sent. If this amount is not claimed by you within three years of the date of serving of this notice, it will be forfeited to the Government.'

This difference in the rules seems to have been made to avoid a little extra work involved in determining the share of fees of each individual landlord, but on the other hand it has burdened the latter with too much unnecessary work, worry and expense, and the result has been that in many cases the joint-landlords choose to allow their dues to be forfeited instead of applying for the same. There are many difficulties in the way of making a joint application requesting the Collector to remit the whole amount to a selected individual, *e.g.*, long distance at which the co-sharers live from one another, absence of good feeling amongst them and so forth: consequently this procedure is very seldom followed by the joint-landlords. The only other alternative is to make individual application before a duly constituted court. This means court-fees, revenue agent's fees, costs of producing evidence in support of one's claim and so on, all these again mean a lot of expenditure and finally when orders are passed for payment, there are many little expenses in the shape of tips here and there which the zamindar must make in order to bring the money safely and smoothly to his pocket. It will thus be seen, specially when the amount is not fairly big, that the worry and expenses involved in getting back his dues are not at all commensurate with the sum which is ultimately received by him. Sometimes the officer in charge insists that all the parties should appear at one and the same time. In that case it often happens that a co-sharer owning a small interest does not care to appear at all and so all hopes of receiving the payment have to be given up for ever. From a statement made by the Government in this

Council, on the 13th March 1917, it appears that nearly 50 per cent. of the amount deposited with the Government, as landlords' fees or, in other words, about Rs. 6,30,000 have not yet been paid out to the landlords and there can be no doubt that a large portion of this has been already forfeited to the Government. This is surely a serious matter and in fairness and justice to the poor joint-landlords some steps should be taken at once to put a stop to this state of affairs. The easiest way to meet the situation, as it appears to me, is to so change the rules 27 and 28 as well as the forms of notices as to ensure that the individual share of the landlords' fees, amounting to annas four or more shall be transmitted to each of the co-sharers separately by money-order as in the case of a sole landlord. How the changes are to be effected, I leave it entirely in the hands of the Government. A suggestion however was made to the Government by a question in this Council on the 5th March 1917, in which it was suggested that rules could be made insisting that the transferees of and successors to permanent tenures shall state the share of interest of the several joint-landlords and shall deposit the requisite money-order commissions for the transmission of the landlords' fees to the respective landlords separately. But the Government then did not think it desirable to attempt to apportion the fees amongst the joint-landlords and to realise separate money-order commissions for the transmission of the same to each of them separately. The reply undoubtedly was disappointing, but I am disposed to think that this was made without fully realising the gravity of the whole situation. As for realising the requisite money-order commissions the law gives full powers to do so and with regard to the apportionment of the fees amongst the joint-landlords, the matter if carefully looked into will not appear at all difficult or cumbersome. A few technical changes in the rules and instructions to the officers concerned will enable the work to be carried on easily and smoothly as a matter of routine work. As a matter of practice, the notice forms are filled up by the person interested in the transfer ; while giving the names of his joint-landlords he could be asked to state the extent of their shares and the amount of fees to be remitted to each of them provided each individual share of fees is not less than annas four. He knows fully well the extent of share of each of his landlords and as he also knows the total amount of the landlords' fees to be paid by him, it would be quite easy for him to apportion the amount amongst them. The officers concerned could be instructed to compare the rent-receipts and check his statements in the deed of transfer as well as in the notices filled up by him. All this may appear to be a complicated affair on paper, but in practice the work will be quite easy and no one would be the worse for it. Even if the Government officers have to fill up the notices and apportion the fees, I should say that the Government should not hesitate to undertake a little extra work by which a real grievance of the joint-landlords is to be removed to an appreciable extent. In this connection it should be borne in mind that it is an Act passed by this Council which has deprived the zamindar of a vested right and though it has allowed some compensation for this in the shape of landlord's fees, the rules under the Act have been so made that he is practically debarred from obtaining them.

I have purposely limited the minimum of the transmissible amount to four annas in order to make my proposal practicable without causing any undue hardship either to the tenants or to the landlords. With these words, my Lord, I commend my resolution for the acceptance of the Council."

The Hon'ble the MAHARAJADHIRAJA BAHADUR OF BURDWAN said :—

"My Lord, the Hon'ble Kumar Shib Shekhareshwar Ray has no doubt made out a strong case regarding the transmission of landlords' fees to joint-landlords. But I do not know whether he has considered the case in all its bearings. There are certain defects regarding these transmissions and I do not know that even by making the individual share of such fees to amount to annas 4 or more he will be able to get rid of the thing that he has in view. Further, I do not think that in a matter like this it is desirable for

Maharajadhiraja Bahadur of Burdwan; Rai Mahendra Chandra Mitra Bahadur; Babu Bhabendra Chandra Ray.

the landholding interest in this Council to bring up for discussion a matter of such importance to them without consulting their Associations or the bodies which they represent in this Council. I am sure the Hon'ble Mr. Beatson Bell or the Member who will reply to this resolution will give us some valuable information. The Hon'ble Mover will then, I hope, withdraw his resolution for the present, bringing it forward again when we should have time to consider it in all its bearings."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"My Lord, I have to offer a few suggestions on the merits of the resolution. The difficulties of the joint-landlords in getting the amounts which are deposited in the treasury are many. In my opinion, the law has to be changed before such a resolution can be successfully moved. Under rule 24, a notice is issued by the Collector to the joint-landlords to withdraw the amounts on applications. There is no smooth sailing here, and the Collectors take care to have petitions wherein specific shares may be noted down. The only register which is known as the D Register is kept under the Land Registration Act. But, my Lord, in that register those landlords, the proprietors of *tauzis*, who have noted down their shares or, in other words, who have opened separate accounts are entitled to the fees according to the definite shares known to the Collector. There is nothing more to be found in the *tauzi* register which shows the area of the *mauza*. Consequently the Collector is not bound to rely upon the recitals which are to be found in the conveyance made by the transferor to the transferee. What then would be the guide for ascertaining the definite and specific share of the individuals who come under the category of the joint-landlords? Therefore, my Lord, it would be difficult for the Collector to allot to the individual landlord that so much is the amount due to him. Are we to understand then that the Collector would be sitting at judgment and ascertain the specific shares of the joint-landlords? Is the Collector to sit like the Civil Court to decide these very important questions? There are therefore various difficulties which have not been noticed by the Hon'ble Mover in introducing the motion. I consider, my Lord, that this question involves consequences serious to the interests of the landholding classes. The Hon'ble Mover himself is a landlord and will appreciate the difficulties in which he will place the landlords, because if he wishes the rule to be changed, the law ought to be changed at the same time. The rules are consistent with the law and I do not think that Government will be justified in altering the rules. I am very anxious also to look to the interests of the tenants as well as those of the landholders, although I do not represent the landholding interest in this Council. I have passed my days in law courts. Therefore, I can say that it is highly necessary that there should be an anxious desire on the part of the Government to look to the rules and also to various sections of the Land Registration, Bengal Tenancy and other Acts. I would therefore ask the Council to consider the serious consequences which will be involved if the resolution is accepted. I am sorry I am not in a position to support the resolution."

The Hon'ble BABU BHABENDRA CHANDRA RAY said :—

"My Lord, the vexed question about the landlords' fees which this resolution deals with came up on several occasions in this Council in the shape of questions. This, I think, is an indication that the people do not like the idea of large sums of money becoming forfeited to Government by the operation of certain cumbrous rules which are prescribed in the case of joint-landlords. On the 13th December, 1916, Hon'ble Babu Kishori Mohan Chaudhuri drew attention of Government to the matter, and we learnt that a large proportion of the money received in three recent years were not paid out to the landlords. Then again on the 5th March last, the same Hon'ble Member asked as to whether the dues of individual joint-landlords could not

be transmitted to them separately, and the Hon'ble Mr. Kerr stated in reply that Government did not consider it desirable to attempt to apportion landlords' fees among joint-landlords and to realise separate money-order commissions on that account.

The Hon'ble Babu Brojendra Kishor Ray Chaudhuri tried to ascertain, on the 13th March last, the amounts so far forfeited; and it appears from the reply that a little less than Rs. 4,000 have been actually forfeited in the Presidency and Burdwan Divisions since the enactment of section 18C of the Bengal Tenancy Act. The Hon'ble Mr. Kerr could not give the corresponding figures for the three Eastern Bengal divisions. But it would seem that the evil is greater in Eastern Bengal. For, I find at page 95 of the report of the Dacca University Committee that a suggestion was made that the cost of building a College for the well-to-do classes which was then proposed to form a part of the University at Dacca, might be met from the landlords' fees, presumably of Eastern Bengal,—'almost the whole of which' (I am quoting the exact words of the report here) 'become forfeit to Government under section 18C.'

My Lord, several questions have no doubt been asked on this point. But I do not remember to have seen any inquiry being made as to what percentage of the total amounts so far deposited as landlords' fees in each division represents the dues of joint-landlords, and what proportion of such dues has up-to-date been paid out to them upon joint application as prescribed by the rules. I hope Government will be able to enlighten us on this point. For, it is my firm belief that the amounts shown as paid out to the landlords do hardly include any payments to joint-landlords. If then we are agreed that the present system works to the loss of a large section of landlords, we must contrive some measures which will remedy the evil. The present resolution suggests a line on which an amendment of the rules may be undertaken, and it has therefore my support. I am not however unmindful of the fact that the suggestion if carried into effect will impose an additional obligation on the transferees of permanent tenures for payment of separate money-order fees, and may also increase the work of the clerical staff in the collectorates. But perhaps these elements would be unavoidable in any scheme of reform."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, the resolution to my mind is a very simple matter and there is no difficulty in accepting it. In this matter, the transferor, the transferee and the landlords are all concerned. For the purpose of this resolution, rule 28 need only be amended. If the suggestion made by the Hon'ble Maharajadhiraja Bahadur be accepted, some time may be taken in consulting the landholding interest as to the best means that may be adopted. I do not therefore find any difficulty in accepting this resolution. With these few observations I beg to support it."

The Hon'ble MR. BEATSON BELL said :—

"My Lord, several Hon'ble Members who have spoken to-day have referred to the difficulties as comparatively trivial. I am afraid they do not realise the facts. It is hardly an exaggeration to say that there is no branch of routine work in the collectorate which causes more worry and more loss of time and which hampers the administration to a greater degree than these few unobtrusive sections at the beginning of the Tenancy Act. I do not know if it is fully realised by the House that the sums in question are mostly of a very trivial amount. The fee in each case is two per cent. of the annual rent of the tenancy, or portion of a tenancy, which is sold, and there is a minimum of one rupee. In the vast majority of cases, the fee is only one rupee. This rupee is handed over in cash to the Sub-Registrar. The

Mr. Beaton Bell.

person or persons to whom the rupee is due are not present and the Sub-Registrar has no legal power either to call them to his office or to send the money to them by a messenger. The whole machinery of Government—both the Local Government and the Imperial Government—must be set in motion in order to convey this rupee to its owner. Forms, registers, challans, receipts, monthly returns, annual returns, checks, counter-checks, inspections, reports, resolutions have to be written up in office after office. Yesterday I examined this branch of work in the Sub-Registrar's office at Alipore. I took up a case at random. The fee, as usual, was one rupee. I counted the number of columns which had to be filled up in the various forms. I discovered that before the rupee left the Sub-Registrar's office more than a hundred entries had to be made. Then the rupee found its way to the Collector's office and went into the Treasury. This necessitated a multitude of additional entries in the Accounts Department, the Treasurer's Department and the *Munshi-khana*. Finally, the rupee was "transferred to the postal account," and an Imperial Department took up the work. This is what happens in every case. After much writing in many offices a postal peon arrives at the landlord's house and offers him the rupee. In one case out of three he refuses to take it. Then the whole process has to be reversed, until the rupee finds its way back to the Collector's Treasury. In this description of the work I have said nothing of what goes on in the offices of the Accountant-General, the Inspector-General of Registration, the Post Master General, the Commissioner, the Board of Revenue and the Secretariat. It is no exaggeration to say that a single rupee has often to travel a hundred miles and to be the basis of five hundred entries in registers and forms. The whole thing would be ludicrous were it not for the fact that it clogs the general administration of the country. We have been trying for more than 30 years to simplify the system. Things are bad enough now, but they used to be far worse. What the Hon'ble Member now proposes is a move in the wrong direction. Far from simplifying the work he wants to increase it and to add to its complications. He wants us to treat every co-sharer landlord as we now treat single landlords. The initial difficulty, I need hardly say, is to ascertain the correct shares of the superior landlords and to distribute the small fee among them. Several gentlemen who have spoken think that this is perfectly simple. One speaker has drawn attention to the existence of Register D. This, however, would only be of use in the cases (which are comparatively rare) in which the tenancy in question falls direct under a *zamindari* interest. When the tenancy falls under an intermediate tenure, Register D will be useless. In such cases, unless there be a record-of-rights, it will be necessary to hold a local inquiry or to accept the names and shares as given (generally incorrectly) by the parties to the sale-deed. Let us suppose, however, that we have got over all these preliminary difficulties. Let us suppose that we have evolved a list of landlords and shares on which the Collector is prepared to take action. Let us take a very simple example. Three annas of a certain *hawla* have been sold. The proportional rent of these three annas, as worked out by the transferor and the transferee, is Rs. 74-11-10. The superior landlords and their shares are as follows :—

	Annas.	Gandas.	Karas.	Krantis.	Tils.
Anando Chandra Das (Comilla) ...	1	17	2	2	13
Bankim Behary Banerji (Howrah) ...	3	11	...	1	7
Abdul Kadir and his three brothers (Dacca).	1	3	1	...	8
Tara Sundari Debi (Benares)	3	10	2	2	17
Krishna Das Mandal (Faridpur) ...	1	8	...	1	8
Syed Anwar Ali, Assistant Surgeon (Rangoon).	1	6	...	...	7
Total ...	16	...	...	...	...

Mr. Beatson Bell : Kumar Shib Shekhareswar Ray.

Will any Hon'ble Member kindly tell the House what is the total fee which has to be divided among these gentlemen? Will any Hon'ble Member kindly tell the House which of these gentlemen, or groups of gentlemen will get more than four annas and which will get less? The fee, I may say, is Re. 1-7-11; but obviously none of us can say without paper and pencil and laborious calculation how much of it is due to each landlord. I must really protest against the proposal to add this enormous burden to the burden which already exists. It is not as if we were doing anything useful. Even if we succeed in distributing four anna bits to reluctant recipients all over India, the parties, in the great majority of cases, are no further forward. An entire tenancy is seldom sold: what is sold is a specific field or a specific share. The chief object of the transferee is not to inform his numerous landlords of the fact of his purchase, but to induce them to open a "separate account" in respect of that purchase. The process, which I have just described, is quite useless—and rightly so—in securing that object. The transferee has to begin again *de novo*, approaching the landlords one by one and settling with them by private negotiation.

Now, my Lord, speaking personally and as an old Settlement Officer, my practical suggestion is this. We are already considering an amendment of the Bengal Tenancy Act regarding the sale of raiyati holdings. Let us tackle the sale of permanent tenures along with the sale of raiyati holdings. Let us devise a simple and business-like procedure, applicable to both classes of tenancy, which will safeguard the interests of the landlords (whether joint or single) and will secure to them a reasonable rate of *salami* by a reasonable process of payment. The problem is difficult, but I am convinced that it is not insoluble. I therefore ask the Hon'ble Member not to press his present proposal, but to assist us in working out the larger scheme.

One word before I sit down. It is true that under the present chaotic system something like Rs. 50,000 comes to Government every year in the shape of undistributed fees. But I can assure the House that we are spending much more than that sum. Far from making money we are losing it. We are not only willing but anxious to see an early and drastic reform. The first step to that reform must be a change in the law, in the direction of ordinary common-sense."

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY said :—

"My Lord, I am sorry to observe that the Hon'ble Maharajadhiraja Bahadur of Burdwan has taken the fact into serious consideration that the great bodies of the zamindars have not been given an opportunity to consider the matter fully. I must say here that I have brought forward this resolution after consulting my constituency and also some leading landholders of the Dacca Division. In fact the matter has long been under the consideration of the zamindars and an acute feeling exists regarding it in our part of the country. If a reference is made to the figures supplied by the Government on the 13th March last, it will be seen that the divisions of Dacca and Rajshahi are the worst sufferers and that is why I have lost no time in bringing forward the resolution. The Maharajadhiraja Bahadur of Burdwan, I am afraid, does not fully realise our difficulties, as his tenants are mostly pattanidars whose transfers are governed by different rules altogether.

I have listened with interest to what has been said by the Hon'ble Mr. Beatson Bell, but he has not said anything about the propriety of a forfeiture to the Government of a sum which does not belong to them, nor does he suggest any means by which the existing evil can be removed. However I am glad to find that I have been able to create a good deal of interest in this matter and I hope that both the Government and the interested public will look more seriously into this matter and when a stronger public opinion is formed, I hope to move the resolution again, though I sincerely

hope that in the meantime the Government will themselves take proper steps and no action on our part will be necessary. With these few words, my Lord, I beg permission to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 9.

The following resolution stood in the name of the Hon'ble Mr. A. Rasul:—

This Council recommends to the Governor in Council that the 11th day of *Magh* (Maghutsab day) be declared by the Government to be a public holiday, under the Negotiable Instruments Act, 1881 (XXVI of 1881), throughout the Presidency of Bengal.

At the request of the Hon'ble Member, and by leave of the President, the discussion of the resolution was postponed to the next Calcutta meeting of the Council.

ADJOURNMENT.

The Council was then adjourned *sine die*.

C. TINDALL,
Secy. to the Government of Bengal and
Secy. to the Bengal Legislative Council.

Calcutta,
The 11th July, 1917.

B. S. Press—30-7-1917—898J—850—J. L. C. & F. B. R.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Darbar Hall at new Government House, Dacca, on Tuesday, 7th August, 1917, at 9-30 A.M. (local time).

Present :

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble MR. N. D. BEATSON BELL, C.S.I., C.I.E., *Vice-President*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble SIR S. P. SINHA, KT.

The Hon'ble SURGEON-GENERAL W. R. EDWARDS, C.B., C.M.G

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble MR. J. DONALD.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. W. W. HORNELL.

The Hon'ble MR. C. H. BOMPAS.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. E. B. H. PANTON.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR, I.S.O.

The Hon'ble DR. NILRATAN SARKAR.

The Hon'ble MR. J. MACKENZIE.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI, C.I.E.

The Hon'ble RAI DEBENDRA CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble Mr. F. W. Carter, C.I.E.

The Hon'ble Dr. Abdulla-al-Mamun Suhrawardy.

The Hon'ble Maulvi Abul Kasem.

The Hon'ble Maulvi A. K. Fazl-ul-Haq.

The Hon'ble Mr. Altaf Ali.

The Hon'ble Rai Sri Nath Ray Bahadur.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur.

The Hon'ble Babu Surendra Nath Ray.

The Hon'ble Babu Kishori Mohan Chaudhuri.

RESOLUTION ON THE DEATH OF THE HON'BLE MR. A. RASUL.

His Excellency the President said :—

"Gentlemen, it will, I am sure, be your desire before we enter upon the regular business of the day that this Council should place upon record its sense of deep sorrow at the loss which it has sustained by the death of the Hon'ble Mr. A. Rasul. Among the members of this Council there must be many to whom the late member was intimately known and who mourn his loss upon personal as well as upon public grounds. I cannot claim to speak with the same authority as they will, for I had not, until quite recently, the privilege of personal acquaintance with him. But from my very limited opportunities of knowing him I can well believe that he was a man who endeared himself to all those with whom he was brought into contact. But apart from all personal considerations we cannot but feel that by his death Bengal has lost a brilliant and a valued son. Following upon a successful career at Oxford University he became a prominent member of the Bar, where his work for nearly 20 years marked him out as a man of character and ability. We can well believe that with his personality, his talents and his industry he was destined, had he lived, to play a large and a distinguished part in the public life of his country.

We mourn his loss on many grounds, but in particular do we, as members of the Legislative Council, mourn his loss as a valued and respected colleague. I submit therefore the following resolution :—

'That this Council hereby places upon record its sense of deep sorrow at the loss which it has sustained through the sudden and untimely death of the Hon'ble Mr. Abdul Rasul.'"

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, we the members of this Council, and the Muhammadan members in particular, are grateful to you for the graceful reference made to one of our colleagues, the late Mr. Rasul. By his death the country has lost one of its brilliant sons, but the loss to the Muhammadan community is irreparable. It is well known that among the Mussalmans there are very few workers, and very few men, who occupy a position which the late Mr. Rasul occupied, and it is very hard for them that in this case they have lost one of the foremost men among them. With these words I associate myself with the resolution that has been moved by Your Excellency."

Maulvi A. K. Fazl-ul-Huq; Rai Radha Charan Pal Bahadur; Dr. Deba Prasad Sarbadhikari; the President.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, after all that has been said by Your Excellency, it was hardly necessary for me to say anything, but I feel that I cannot let this occasion pass without adding one more tribute, however humble, to the memory of our departed friend. My Lord, our grief on this occasion is too acute and too fresh to allow an adequate expression in words, and I think therefore that it is better that we should not try to clothe in words the sorrow that we feel at heart. His was really a noble soul and I can testify from close personal contact with him, and from old acquaintanceship, that I have hardly come across a man who has taken part in the public life in this country who had that singleness of purpose, that honesty and boldness, and that firmness of conviction which characterised the public life of the late Mr. Rasul. I do not wish to take up the time of the Council any more. His was a noble soul, and he has now gone to nobler regions and to the life eternal and everlasting joy."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, on behalf of the Hindu members of this Council I desire to associate myself with the resolution which Your Excellency has gracefully moved on this mournful occasion. It is needless to say that by the untimely death of our lamented colleague Bengal has lost one of her greatest sons. To the Hindu members he endeared himself not only by his sterling honesty, his thorough independence, his earnestness and his identification with the interest of the country, but also by his broad views, his catholicity of sentiment with which he considered all questions, whether affecting Hindus or Muhammadans. He was a worthy representative of the intellect of the Muhammadan community, and in him we have lost a colleague whose like we shall not possibly soon see again."

The Hon'ble DR. DEBA PRASAD SARBADHIKARI said :—

"My Lord, I desire to associate myself with the expression of grief in all sincerity, and in doing so I shall not attempt to take up the same ground which has been taken up by other speakers. I mourn the loss as of a devoted and worthy coadjutor in the field of education. His many-sided activities did not prevent his taking a real and active interest in all that appertained to the educational question of the country. It was not given to him long, for reasons which I need not detail here, to associate himself largely with the higher education of the country. But in fields that are well known to many of us his activities were greatly felt. There is another feature of his activities to which attention might well be drawn. In the crisis through which we are now passing, none worked more whole-heartedly in bringing Hindus and Muhammadans together and in trying to reconcile the conflicting interests of both the communities than the late Mr. Rasul. All the good work in this direction that the country will profit by was largely due to Mr. Rasul's self-effacing endeavours. We mourn his loss as that of a public man and also as that of a friend, but most do we mourn his loss as that of a man. A more genuine, sincere and single-minded man it is not always one's lot to come across and he won all hearts. When I attended his funeral nothing struck me more than the assembly of Hindu friends, whose number was almost as large as that of his Muhammadan friends. The loss was as sudden as it was tragic. His daughter was to have been married on the following Friday and within almost forty-eight hours before that he was called away."

HIS EXCELLENCY THE PRESIDENT said :—

"I would suggest that you signify your assent to the resolution by rising in your places."

The resolution was carried in silence, all standing.

LIST OF BUSINESS ITEM NO. 1.

STARRED QUESTIONS.

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

* 1. (*a*) Will the Government be pleased to state the facts of the case relating to the trial of one Abinash Chandra Bhuttacharjee for perjury and for making contradictory statements?

(*b*) Is it true that the trying Magistrate, Mr. S. C. Roy, Deputy Magistrate of Khulna, tried the case at night?

(*c*) Is it a fact that the accused was undefended?

(*d*) Is it a fact that in their decision Justices Teunon and Newbould held that the accused did not commit perjury?

(*e*) Is it a fact that on the 4th April last, while the same Magistrate was in camp at Madugram in thana Bumuria for the purpose of trying a badlivelihood case, he charged one Patiram Chattopadhaya, a witness for the defence, with the offence of giving false evidence immediately after his deposition had been over?

(*f*) Is it a fact that Patiram was ordered to give bail of Rs. 2,000 to appear on the 10th April, and that the accused could not furnish a bail of such a heavy amount?

(*g*) Is it a fact that Mr. Mellor, Sessions Judge, Khulna, held that the amount of the security demanded was unreasonable, especially as the trial was being held in camp, where it was difficult for the accused to get persons of substance to stand bail for him?

(*h*) Is it also a fact that the said Sessions Judge stated that the Magistrate had appeared to have acted with undue haste and that his conduct showed an excess of zeal in the interests of the prosecution?

(*i*) What action, if any, are the Government taking in regard to the conduct of the said Deputy Magistrate?

Answer by the Hon'ble MR. KERR :—

"(*a*) A petition was presented to the District Magistrate of Khulna by Abinash Chandra Bhuttacharjee and others praying for the prosecution of certain persons under section 110 of the Code of Criminal Procedure. The Sadar Subdivisional Officer, Babu Sarat Chandra Roy, tried the case at Senhati. During the trial the Court Inspector drew the attention of the Subdivisional Officer to a certain statement made by Abinash Chandra Bhuttacharjee in cross-examination. The Magistrate considered that this statement conflicted with the evidence he had previously given. Treating the written request for prosecution put in by the Court Inspector as a police report, he took cognizance of the matter under section 190 (*b*) of the Code of Criminal Procedure. He ordered Abinash Chandra Bhuttacharjee to wait ouside the court room until he had finished a case in which he was then engaged, and during this time it appears that Abinash's hands were tied by a constable with his pagri. On finishing the case the Subdivisional Officer sent for Abinash, drew up a charge against him under section 193 of the Indian Penal Code and recorded the statements of some witnesses and of the accused, who pleaded guilty. The accused was imprisoned until the rising of the Court and fined Rs. 20.

(*b*) The case was tried at about 5 P.M.

(*c*) to (*h*) The answer is in the affirmative.

(*i*) The matter is under the consideration of Government."

By the Hon'ble KUMAR SHIB SHEKHARESWAR RAY :—

Cooking of food of Hindu prison in jails.

* 2. (*a*) Will the Government be pleased to state whether it is a fact that in some jails the Hindu prisoners are compelled to take food cooked by non-Hindu prisoners?

(*b*) If so, in how many jails does this condition prevail and what action, if any, are the Government taking to put a stop to it?

(*c*) In how many jails have separate kitchen arrangements been made since the assurance given by the Government in this connection in 1914?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*b*) It is not a fact. Even in jails where no separate cooking places are provided for Hindus and Muhammadans, the food for Hindu prisoners is prepared by Hindu cooks

(*c*) Separate kitchen arrangements have been made in all cases where kitchens have been reconstructed or new kitchens built since 1914. These are four in number, viz—

Rampur Boalia,

Pabna,

Comilla, and

Barisal

Separate arrangements now exist in all jails in Eastern Bengal."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Death of Babu Sashi Bhusan Sen.

* 3. (*a*) Are the Government aware of the fact that the late Babu Sashi Bhusan Sen, B.A., formerly Head Master of the Hindu School, Calcutta, who subsequently retired as an Assistant Inspector of Schools, Rajshahi Circle, while passing by the road near Ray Sahib's Bazar, Dacca, on the 10th June last, was knocked down by a motor cycle that had neither a bell nor a brake?

(*b*) Is it a fact that the above-mentioned gentleman died in consequence of the shock he received?

(*c*) Is it a fact that Babu Nagendra Nath Sen, Sadar Subdivisional Officer of Dacca, was present at the time of occurrence?

(*d*) Is it a fact that the said Sadar Subdivisional Officer was not examined by Mr. H. N. Nandi, the Deputy Magistrate who tried the case?

(*e*) Will the Government be pleased to lay on the table a statement containing the details of the case?

Answer by the Hon'ble MR KERR :—

"(*a*) The facts are as stated, except that the motor cycle was furnished with brakes which were in good working order.

(*b*) Babu Sashi Bhusan Sen died 16 days after the accident. The evidence of the medical men who attended him shows that his death was due to natural causes. The Civil Surgeon, who saw him about a week before his death, found no sign of shock and is of opinion that his death was due to cardiac failure and had nothing to do with the accident. The only injuries he received in the accident were contusion of the right hip-joint and some slight abrasions of the face.

(*c*) and (*d*) Babu Nagendra Chandra Sen, officiating Sadar Subdivisional Officer, Dacca, was standing near the scene of the accident at the time, but did not see the occurrence. He was not sent up as a witness in the case, but his evidence was recorded by the investigating police officer and formed part of the report which was submitted to the Magistrate.

(*e*) The investigation showed that Babu Sashi Bhusan Sen did not hear the motor cycle until it was close to him. He then moved quickly to one side, but the rider of the motor cycle in trying to avoid him moved the same way, and Babu Sashi Bhusan Sen was pushed over by the body of the rider as he passed. The rider immediately dismounted and came to Babu Sashi Bhusan Sen's assistance. He was then arrested by a European Inspector of Police, and a case of rash driving under section 279, Indian Penal Code, was instituted. The Magistrate, however, found that the motor cycle was not being driven at an excessive speed, that it was under control and that the rider was not to blame for the unfortunate accident. He accordingly entered the case as a mistake of law. This order was recorded on the 10th June. After Babu Sashi Bhusan Sen's death, the Additional Magistrate asked the Superintendent of Police to look into the matter further, but his report and the medical evidence above referred to showed that there was no reason to modify the previous order."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Alleged unhealthiness of Amta

* 4. (*a*) Are the Government aware of the opinion that has been expressed that, of all the rural thanas in Howrah district, Amta is the most unhealthy?

(*b*) Is it a fact that in 1873, Colonel Haig, Chief Engineer of Bengal, strongly recommended the Amta scheme for the reclamation of the unhealthy swamps of the locality?

(*c*) Are the Government aware of the opinion that has been expressed that malarial fever threatens to be endemic, owing to stagnant water being the breeding ground of the malaria-bearing anopheles mosquito, in the water-logged area of Amta thana?

(*d*) Will the Government be pleased to state whether they are considering the desirability of taking the necessary steps for the completion of the project for the drainage of the district of Howrah by carrying out the Amta scheme?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) Yes.

(*b*) In 1873 Colonel Haig as Secretary to Government wrote :—'It appears to the Lieutenant-Governor desirable that a definite project should be framed for the drainage of that part of the Hooghly district bounded on the north by the Kana Nadi, on the south by the Uluberia Canal, on the east by the Hooghly, and on the west by the Damodar.' The Amta area is included within these boundaries.

(*c*) Yes. Government are, however, advised that the water-logged portion of the Amta basin is relatively free from malaria.

(*d*) The Hon'ble Member is referred to paragraph (*d*) of the answer given by the Hon'ble Mr. Green to question No. XVI (unstarred) asked by the Hon'ble Member at the Council meeting of the 4th September, 1916."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Improvement of the condition of villages in Howrah district.

* 5. Will the Government be pleased to state the amount spent by the District Board of Howrah for improving the sanitary condition of the more important and populous villages within its jurisdiction under the following heads :—

(*i*) proper drainage of rain-water into the neighbouring khals and rivers ;

(*ii*) excavation or re-excavation of tanks and wells for good drinking water ;

(*iii*) clearing of jungles and filling up of insanitary *dobas*; and

(*iv*) improvement of the silted-up nullas or khals?

Answer by the Hon'ble MR. DONALD :—

"Government regret that they are not in a position to supply the figures asked for without some definite information as to the criterion by which to determine which are the more important and populous villages in the district."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Embankments in the district of Howrah.

* 6. (*a*) Is it a fact that the Government now maintain the following embankments in the district of Howrah, namely :—

(*i*) the Hooghly right embankment, from the Botanical Gardens to Mahisdhara khal, and the Chakkasi embankment from Chakkasi khal to Sijheria ;

(*ii*) the Damodar left embankment, through the whole length of the district, and the right embankment from the Begua breach to the Maja Damodar, and from the mouth of the Gaighata khal to the outfall into the Hooghly ;

(*iii*) the Rupnarayan left embankment from the mouth of the Bakshi khal to the outfall in the Hooghly ;

(*iv*) the embankment on the south of the Bakshi and Gaighata khals, joining the Rupnarayan left with the Damodar right embankment ; and

(*v*) a takavi embankment along the left bank of the Madaria khal from Dilakhas to Amta ?

(*b*) Will the Government be pleased to lay on the table a statement showing the amount actually spent by them on the above embankments, separately, during the last five years ?

Answer by the Hon'ble MR. COWLEY :

"(*a*) (*i*) A length of about 20 chains is maintained by the District Board of Howrah as it is used for vehicular traffic. The embankment is a part of the Howrah drainage works which are maintained by Government. The Chakkasi embankment is maintained as part of Rajapore drainage works which are maintained by Government.

(*ii*) to (*v*) The answer is in the affirmative.

(*b*) A statement and a map are placed in the Library giving the information required in so far as it has been possible to compile from the abstracts of bills paid. In the time available, it has not been possible to obtain more exact figures of expenditure, as the accounts are not compiled district by district."

UNSTARRED QUESTIONS.

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Excavation of tanks and wells.

1.—Will the Government be pleased to lay on the table a statement showing the total number of tanks and wells for drinking water excavated and re-excavated and the expenditure incurred on them by each of the—

(*i*) District Boards,

(*ii*) Local Boards, and

(*iii*) Municipalities,

in the Presidency of Bengal during the year 1916-17 ?

Answer by the Hon'ble MR. DONALD :—

"A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. DONALD *to Question No. 1 (unstarred) asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *showing the total number of tanks and wells for drinking water excavated or re-excavated and the expenditure incurred on them by District Boards during the year 1916-17.*

Name of District Board	Tanks excavated or re-excavated.		Wells excavated or re-excavated		Total expenditure.	Remarks
	Number	Expenditure	Number.	Expenditure		
1	2	3	4	5	6	7
		Rs.		Rs.	Rs	
Burdwan ...	(a)16	9,696	(b)55	21,649	31 345	(a) 14 were completed (b) 54 were completed.
Birbhum ...	1	166	186	20,694	20,860	
Bankura ...	62	2 98 414	54	(c)10 598	(d)3,09 012	(c) Includes Rs. 1,155 spent in 1915-16. (d) Out of Rs. 3,09,012 Rs 1,046 was met from the District Fund and the balance from a Government grant in connection with the Bankura famine relief work.
Midnapore ...	...	...	12	2,293	2,293	
Hooghly ...	3	1,491	10	5,732	7,223	
Howrah ...	11	9,163	1	87	9,250	
24-Parganas	(e)25	48 947	4	1,303	50 250	(e) Out of 25 tanks 11 were completed and the remaining 14 were in progress.
Nadia ...	(f)4	1,446	102	40,189	11,635	(f) Of the four tanks two were re-excavated, but no payment on this account was made during 1916-17.
Murshidabad	9	4,509	94	17,649	22,158	
Jessore ...	(g)19	16,544	(h)18	6,598	23,142	(g) 6 were completed. (h) 12 were completed
Khulna ...	(i)18	15,733	1	237	15,970	(i) 11 were completed.
Dacca ..	7	4,136	60	7,584	(j)11,720	(j) Excludes Rs. 4,286 spent by Union Committees on the excavation or re-excavation of tanks and wells.
Mymensingh	...	..	14	4 632	(k)4,632	(k) Excludes Rs. 236 spent in repairing 3 masonry wells
Faridpur ...	26	10,068	10	2,685	12,753	
Bakarganj ...	28	(l)19,422	...	...	19,422	(l) Includes Rs. 4,460 spent in completing and making final payments for the tanks taken up in previous years.
Chittagong ...	18	6,516	2	1,094	(m)7,610	(m) Excludes Rs. 34,929 paid for excavation and re-excavation of tanks and wells taken up in 1915-16 but completed in 1916-17.
Tippera ...	16	(n)18 530	...	...	18,530	(n) Of Rs. 18,530, Rs. 16,748 was met from a Government special grant for the famine relief work.
Noakhali ...	23	(o)13,994	...	...	13,994	(o) Includes Rs. 5,559, payment of which was made in 1916-17, on account of tanks excavated or re-excavated during 1915-16.
Rajshahi ...	5	4,786	5	1,389	6,175	
Dinajpur ...	1	758	(p)48	(q) 9,143	9,901	(p) 15 were completed. (q) Excludes Rs. 886 spent for repairing wells.
Jalpaiguri ...	...	...	51	5,554	5,554	
Rangpur ...	1	2,056	10	(r) 2,409	4,456	(r) Excludes Rs. 1,631 incurred in sinking *kutcha* wells.
Bogra ...	3	1 361	(s)80	18,951	20,312	(s) Out of 80 wells, 32 were completed and the remaining 48 were in progress.
Malda ...	5	466	60	9,850	10,316	

Statement showing the total number of tanks and wells for drinking water excavated or re-excavated and the expenditure incurred on them by Local Boards during the year 1916-17.

Name of Local Board	Tanks excavated or re-excavated.		Wells excavated or re-excavated		Total expenditure	Remarks
	Number.	Expenditure.	Number.	Expenditure.		
1	2	3	4	5	6	7
		Rs		Rs	Rs.	
Burdwan Sadar	...	...	(a) 9	3,135	3,135	(a) 7 were completed
Katwa ...	...	...	(b) 3	740	740	(b) 1 was completed
Kalna ...	...	...	(c) 8	3,212	3,212	(c) 6 were completed
Asansol ...	...	...	(d) 120	17,872	17,872	(d) 40 were completed.
Rampurhat ...	1	60	...	...	60	
Midnapore Sadar.	...	...	4	1,724	1,724	
Contai ...	3	1,329	3	75	1,404	
Local Boards in the Hooghly district	19	10,885	34	4,816	15,701	Information has not been furnished for each Local Board.
Nadia Sadar ...	..	...	1	40	40	
Dacca Sadar ...	2	1,216	24	4,975	6,191	
Narayanganj	...	...	56	6,503	6,503	
Munshiganj ...	6	1,468	...	...	1,468	
Manikganj ...	1	888	23	2,487	3,375	
Mymensingh Sadar.	8	2,348	18	4,470	6,818	
Kishorganj ...	1	765	27	5,747	6,512	
Jamalpore ...	1	488	29	6,583	7,071	
Netrokona ...	7	2,558	8	3,788	6,346	
Tangail ...	2	1,342	24	2,640	3,982	
Faridpur Sadar	11	5,762	5	146	5,908	
Madaripur ...	9	2,614	...	...	2,614	
Gopalganj ...	10	4,873	1	99	4,972	
Goalundo ...	10	4,063	31	1,847	5,910	
Comilla ...	1	805	...	...	805	
Brahmanbaria	2	1,000	...	...	1,000	
Chandpur ...	1	690	...	...	690	One tank was also acquired at a cost of Rs. 466
Feni ...	8	(e) 4,857	...	...	4,857	(e) All these tanks were re-excavated in 1916-17. Final payments were not made during the year. Rupees 60 was paid in 1916-17 for making final payments for 3 tanks re-excavated in 1915-16. Rupees 2,506 was also spent on clearing jungle and weeds in the existing reserved tanks.
Rampur-Boalia	7	3,251	...	...	3,251	
Nator ...	6	2,718	...	...	2,718	
Naugaon ...	1	776	4	846	1,622	
Rangpur Sadar	...	...	6	845	845	
Gaibandha ...	...	...	7	1,000	1,000	
Nilphamari ...	...	...	4	1,879	1,879	
Kurigram ...	...	...	12	1,275	1,275	
Pabna Sadar	3	2,828	27	7,284	10,112	
Serajganj ...	1	798	50	15,342	16,140	

Statement showing the total number of tanks and wells for drinking water excavated or re-excavated and the expenditure incurred on them by Municipalities during the year 1916-17.

Name of Municipality.	Tanks excavated or re-excavated.		Wells excavated or re-excavated		Total expenditure.	Remarks.
	Number	Expenditure.	Number	Expenditure.		
1	2	3	4	5	6	7
		Rs.		Rs.	Rs.	
Raniganj ...	1	39	5	85	(a)124	(a) Incurred in clearing the tank and wells.
Asansol ...	...	...	2	457	(b)457	(b) Incurred in deepening wells
Suri ...	...	...	9	30	30	
Bankura ...	2	7,212	...	...	(c)7,212	(c) Represents cost of acquisition of land for the tanks.
Vishnupur ...	..	...	5	499	499	
Sonamukhi ...	4	(d)59	10	50	109	(d) Incurred in clearing 4 reserved tanks.
Midnapore ...	...	...	14	52	52	
Tamluk ...	1	1,644	...	...	1,644	
Chandrakona	1	791	2	11	802	
Municipalities in the Hooghly district.	1	167	13	216	383	Information has not been furnished for each municipality.
Krishnagar ...	...	...	1	50	50	
Santipur ..	...	...	7	563	563	
Kushtia ...	...	...	3	24	24	
Meherpur ...	...	...	1	600	600	
Birnagar ...	...	...	1	250	250	
Chakdah ...	...	..	2	409	409	
Murshidabad	...	...	1	564	564	
Jangipur ...	...	...	5	434	434	
Dhulian ...	...	...	2	900	900	
Muktagacha	...	...	1	265	265	
Jamalpur ...	...	...	2	403	403	
Sherpur ...	...	...	1	264	264	
Bazitpur ...	...	...	3	834	834	
Netrokona ...	...	...	5	1,880	1,880	
Tangail ...	...	...	8	817	817	
Kishorganj ...	...	...	2	815	815	
Nator ...	2	1,063	...	...	1,063	
Dinajpur ...	...	...	3	136	136	
Jalpaiguri ...	...	...	2	268	268	
Rangpur ...	...	...	12	338	338	
Sherpur ...	...	...	1	499	499	
English Bazar	...	...	2	804	804	
Nawabganj ...	...	...	2	466	(e) 466	(e) Excludes Rs. 253 spent in repairing and improving some wells.

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

II.—Will the Government be pleased to lay on the table a statement showing separately the area, population and the names of the villages within the jurisdiction of the thanas of—

Statistics relating to villages within the jurisdiction of certain thanas in the district of Howrah.

(*i*) Amta,
(*ii*) Bagnan,
(*iii*) Shampur, and
(*iv*) Uluberia,

respectively, in the district of Howrah?

Answer by the Hon'ble MR. DONALD :—

"A statement containing the information asked for by the Hon'ble Member has been sent to him and a copy has been laid on the table *"

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

III.—Will the Government be pleased to lay on the table a statement for the last three years showing—

Roads in Howrah

(*i*) the contribution received by the District Board of Howrah on account of the Road and Public Works cess,

(*ii*) the amount spent by the District Board of Howrah for metalled and unmetalled roads; and

(*iii*) the amount spent by the Local Boards and Union Committees of Howrah district for the repair of village roads within their respective jurisdictions?

Answer by the Hon'ble MR. DONALD :—

"A statement is laid on the table."

Statement referred to by the Hon'ble MR. DONALD *in his answer to Question No. III (unstarred) asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council Meeting of the 7th August, 1917.*

		1914-15.	1915-16.	1916-17.
		Rs.	Rs.	Rs.
(i) Contribution received by the District Board of Howrah on account of the Road and Public Works cess.	.....	1,02,526	95,206	94,233
(ii) Amount spent by the District Board of Howrah on metalled and unmetalled roads.	Metalled ...	36,097	36,686	35,368
	Unmetalled ...	18,919	17,227	13,579
(iii) Amount spent by the Local Boards and Union Committees of the Howrah district on the repair of village roads within their respective jurisdictions.	Local Boards ...	17,748	16,594	19,011
	Union Committees	5,425	4,076	5,445
		23,173	20,670	24,456

* Not printed in these proceedings.

By the Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI :—

Death of Dhirendra Kanjilal in the lock-up at the Muchipara thana

IV.—(*a*) Are the Government aware that one Dhirendra Kanjilal died recently while in the lock-up at the Muchipara thana in the town of Calcutta?

(*b*) Is it a fact that some police officers of that thana have been suspended with reference to the death of Dhirendra Kanjilal?

(*c*) If the answer to clause (*b*) is in the affirmative, will the Government be pleased to state what was the immediate cause of their suspension?

(*d*) Will the Government be pleased to state whether they contemplate taking any steps to remove all iron-bars and other things in police lock-ups which make it possible for prisoners to commit suicide by hanging?

Answer by the Hon'ble MR. KERR :—

"(*a*) In the early hours of the morning of 30th May, 1917, Dhirendra Nath Kanjilal was arrested on the charge of being drunk and disorderly and lodged in the lock-up at Section "J" Town, Muchipara. About 5 A.M. he was found dead in the lock-up. He had hanged himself in a sitting posture by slipping the end of his *dhoti* round one of the bars of the lock-up, against which he was leaning, and drawing the other end tight round his neck. There were several other persons in the lock-up at the same time, but none of them saw the act take place. The deceased was addicted to drink and was well known to the police of the section. Information of his arrest was sent to his home with a request that some one might attend at the section to bail him out, but a message was returned that the members of his family would not have him back until he was sober, as they were afraid he would make a disturbance.

(*b*) and (*c*) The constable who was on duty at the lock-up at the time of the occurrence was suspended for failure to observe sufficient vigilance. He has since been reduced one grade for a period of a year and was also awarded eight days' punishment drill.

(*d*) It is impossible to remove all iron bars from the lock ups in Calcutta, but arrangements are being made to render it as difficult as possible for an occurrence of this nature to take place again."

By the Hon'ble MR. M ASHRAF ALI KHAN CHAUDHURI :—

Amendment of the Bengal Tenancy Act.

V.—(*a*) Will the Government be pleased to state when the proposed Bill for the amendment of the Bengal Tenancy Act, 1885, will be brought before the Council?

(*b*) Will the Government be pleased to state whether the opinion of any public body representing tenants has been taken with reference to the amendment of that Act?

Answer by the Hon'ble MR. KERR :—

"(*a*) Government cannot yet make any statement as to the probable date on which the Bill to amend the Bengal Tenancy Act in respect of the transfer of ordinary occupancy holdings will be introduced.

(*b*) Although Government did not invite a direct opinion from any public body professing to represent tenants, all Commissioners were asked to ascertain the opinions of different classes of the agricultural population, and this was done."

By the Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI :—

Cases under the Police Acts of 1866

VI.—(*a*) Will the Government be pleased to lay on the table a statement showing the number of cases sent up by the police under the Calcutta Police Act, 1866 (Ben. Act IV of 1866), and the Calcutta and Suburban Police Act, 1866 (Ben. Act II of 1866), in the Police Courts of Calcutta and its suburbs for every month for the last three years?

(*b*) Will the Government be pleased to state the percentage of acquittals and convictions in all such cases?

(*c*) Will the Government be pleased to state what steps, if any, have been taken by the police during the last five years to prevent the commission of such offences?

(*d*) Are the Government aware of the opinion that has been expressed that the accused in such cases, even when innocent, plead guilty to avoid harassment and vexation?

(*e*) Will the Government be pleased to state the amount of fines realized after conviction in such cases, during the last five years?

Answer by the Hon'ble MR. KERR:—

"(*a*) and (*b*) A statement is laid on the table giving statistics for the last three years. Monthly figures could not be compiled without a disproportionate amount of labour and expense.

(*c*) The police on duty in the streets have instructions to report all breaches of the provisions of these Acts or of the rules framed thereunder.

(*d*) No.

(*e*) The statistics are being compiled and will be laid on the table at a subsequent meeting of the Council."

Statement referred to by the Hon'ble MR. KERR *in his answer to Question No. VI (unstarred) asked by the Hon'ble* MR. M. ASHRAF ALI KHAN CHAUDHURI *at the Council Meeting of the 7th August, 1917, showing the number of cases sent up by the Police under the Calcutta Police Act (IV of 1866) and Suburban Police Act (II of 1866).*

Year.	Arrested during the year.	Pending from previous year.	Total of columns 2 and 3.	Discharged by Deputy Commissioners.	Withdrawn and struck off.	Pending at close of year.	Total of columns 5, 6 and 7.	Actually tried (columns 4 minus columns 8).	Acquitted.	Percentage of acquittals.	Convicted.	Percentage of convictions.
1	2	3	4	5	6	7	8	9	10	11	12	13
1914 ...	76,494	20	76,514	555	6,410	22	6,987	69,527	823	1·19	68,704	98·8
1915 ...	72,987	22	73,009	419	2,972	19	3,410	69,599	837	1·2	68,762	98·8
1916 ...	75,253	19	75,272	586	1,645	32	2,263	73,009	581	·8	72,428	99·2

By the Hon'ble BABU BHABENDRA CHANDRA RAY:—

VII.—(*a*) Have the Government received a letter from the Home Department of the Government of India, being letter No. 280 C., dated Delhi, the 25th January, 1917, relating to the procedure to be adopted in connection with the consideration of the report of the Public Services Commission? Report of the Public Service Commission.

(*b*) If so, will the Government be pleased to lay it on the table?

(*c*) With reference to paragraph 3 of the said letter, will the Government be pleased to say whether the Government of India have forwarded provisional conclusions formed by them, involving general principles and general applications, and whether the Local Government have formulated their views thereon?

(*d*) If so, what steps, if any, are being taken in accordance with paragraphs 4 and 5 of the said letter?

(*e*) Has any officer been appointed by the Local Government in accordance with paragraph 5 of the letter to represent them?

Answer by the Hon'ble MR. KERR :—

" (*a*) Yes.

(*b*) A copy is laid on the table.

(*c*) No communication has as yet been received from the Government of India.

(*d*) and (*e*) These questions do not arise."

Copy of letter referred to in the answer by the Hon'ble MR. KERR *to question No. VII (unstarred) asked by the Hon'ble* BABU BHABENDRA CHANDRA RAY *at the Council Meeting of the 7th August, 1917.*

No. 380 C., dated Delhi, the 25th January, 1917.

From—THE HON'BLE SIR JAMES DU BOULAY, K.C.I.E., C.S.I., Secretary to the Government of India, Home Department,

To—The Chief Secretary to the Government of Bengal.

In continuation of the correspondence ending with the Home Department telegram No. , dated the January, 1917, intimating that the Report of the Royal Commission on the Public Services in India will be published on the January, 1917, I am directed to address you on the subject of the procedure which the Government of India have decided, with the approval of the Secretary of State, to follow in dealing with the recommendations contained in the report.

2. Over a year has elapsed since the report was signed and many of the subjects with which it deals are in varying degrees and for various reasons so urgent and important that it is desirable to make special efforts to deal expeditiously with the Commission's recommendations and reach definite decisions to which effect may be given, as financial conditions permit, in a pre-considered order of precedence. The ordinary procedure of reference to local Governments, who in turn make a reference to their local officers, leads to voluminous correspondence and is necessarily slow, and the Government of India have decided to adopt the following method of treatment in order to minimise the delay which has attended the consideration of former reports

3. In the first place the Government of India will as expeditiously as possible form provisional conclusions regarding the Commission's recommendations involving general principles and of general application, and His Excellency the Governor in Council will be informed without delay of these conclusions as a definite indication of the lines which the examination of the report should follow and the limits to which the discussions thereof should be confined. His Excellency in Council will at the same time be requested to favour the Government of India within a specified time with his views on the general principles provisionally accepted. On receipt of these opinions the Government of India will consider whether they should modify their conclusions and the principles finally settled after such reconsideration will, subject to the Secretary of State's approval, govern the treatment of all the detailed recommendations.

4. Simultaneously the Government of India will commence their examination of the detailed proposals contained in the annexures to the report in accordance with the general principles provisionally adopted, and will endeavour to carry through this examination as rapidly as possible in order to place the local Government at an early stage in possession of their tentative views on the Commission's detailed recommendations. During this interval the local Government should aim at collecting information and completing preliminary work on the same lines, in order to be in a position to deal without delay with the references from the Government of India when they are received.

5. In all cases where the issues are not so simple as to render such a course unnecessary His Excellency the Governor in Council will be requested in these references to nominate an officer or officers to represent his views on the various points to be considered at a series of conferences which the Government of India will hold with representatives of all the local Governments and Administrations. After the conferences have completed their work the Government of India will again examine their tentative conclusions in the light of the recommendations made and will then communicate their considered views to His Excellency the Governor in Council for a further expression of his opinion. On the receipt of the replies of the local Governments and Administrations to this final reference the Government of India will once more consider their position and will decide on the definite recommendations which they will place before the Secretary of State.

6. While the Government of India trust that the scheme outlined above will enable all the recommendations in the report to be dealt with in a reasonably short time they do not desire that this endeavour after celerity in disposal should obscure the necessity for observing a proper perspective in giving effect to the several proposals. Some of the subjects to be dealt with are obviously more urgent and important than others, and questions concerning the increased employment of Indians in the higher public services are among those calling for an early settlement in the former class. In dealing

with each branch of the report, therefore, the necessity for expediting or the possibility of postponing till financial conditions are easier, the operation of the decision finally reached should be carefully considered and the due precedence which should be observed in giving effect to each scheme should be specifically indicated so that this matter may be discussed at the conferences referred to in the previous paragraph.

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Explanations of *détenus.*

VIII.—With reference to the statement made in answer to my unstarred question Nos. XXXVI and XXXVII at the meeting of the 3rd July 1917, will the Government be pleased to say :—

(*i*) in how many instances were the entire written explanations, or parts thereof, in the handwriting of the *détenus* themselves and

(*ii*) how many persons arrested under Rule 12 A of the Defence of India Rules have been released as a result of their explanations?

Answer by the Hon'ble MR. KERR :—

"With reference to the first part of the question, an analysis has been made of the written explanations received in answer to charges since the 1st January, 1917. It is found that 20 per cent. of such written explanations are in the handwriting of the *détenus* themselves, and 64 per cent. have been vouched as correct by the *détenus'* signature, while in 16 per cent. the *détenus* have acknowledged the charges by their signatures, but have not signed their explanations as recorded. As regards the second part of the question, the details of persons released without the issue of any order of domicile were given in the answer to clause (*a*) of the Hon'ble Member's unstarred question XLV on the 3rd July, 1917. Such orders of release as have been passed have been based upon a consideration of the whole facts of the case, and not simply on any explanations provided by the *détenu.*"

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Explanations of *détenus.*

IX.—Are the Government considering the desirability of directing that in the case of every *détenu* able to read and write, all explanations and statements required from them shall be made in their own handwriting?

Answer by the Hon'ble MR. KERR :—

"The Hon'ble Member is referred to the answer to clause (*f*) of unstarred question No. VI asked by the Hon'ble Babu Akhil Chandra Datta at the meeting of the 13th December, 1916. It is open to any *détenu*, who desires to do so, to file his explanation in his own handwriting; and it is thought preferable that the method of communication should be at his option."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Alleged compelling of *détenus* to wear convict dress.

X.—With reference to the answer to unstarred question No. XXXVIII of the meeting of the 3rd July, 1917, will the Government be pleased to state whether it is not a fact that immediately after being taken to Dullunda House a very large number of *détenus* were, at one time at least, made to wear short *janghiyas* like convicts?

Answer by the Hon'ble MR. KERR :—

"The Hon'ble Member appears to have been misinformed regarding the facts of the case in question.

A *détenu* had attempted to commit suicide at Dullanda by means of his *dhoti*, and it was on the advice of Major N. P. Sinha, I.M.S., the Police Surgeon

of Calcutta, that he and a small number of *détenus* detained in the same place were directed to wear shorts of the pattern issued to soldiers instead of *dhotis.* The suggestion that a large number of *détenus* were put in prison dress is incorrect."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

ged torture détenus

XI.—(*a*) With reference to the reply to unstarred question No. XXXIX of the meeting of the 3rd July, 1917, will the Government be pleased to state whether all the four instances mentioned by Sir Reginald Craddock in the Imperial Legislative Council on the 21st March, 1917, in which petitions were received alleging torture at the hands of the police, refer to Bengal?

(*b*) What period did the said statement made by Sir Reginald Craddock comprise?

(*c*) Have the Government received any other petitions or complaints of a similar nature, since the period covered by the said statement? If so, how many?

(*d*) What is the nature of the inquiry usually made into these allegations and by what agency is such inquiry conducted?

(*e*) Is any medical officer deputed to examine the *détenus* concerned as soon as the complaints are received?

Answer by the Hon'ble MR. KERR :—

"(*a*) The four cases mentioned by Sir Reginald Craddock, in which torture had been alleged but which were found after full and searching inquiry to be entirely false and groundless, refer to Bengal.

(*b*) The four instances in question related to allegations made between the 12th November, 1916, and the 12th January, 1917.

(*c*) One further such allegation has been received.

(*d*) The statements of the persons alleged to be concerned are recorded, and are considered by Government.

(*e*) No Medical Officer was deputed to examine the *détenus* concerned as the complaints were made in one case 2 months, in three cases 4 months, and in one case 6 months after the alleged occurrence."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

th of détenus

XII.—(*a*) Have the Government received any information as regards any instance of deterioration of general health, loss of weight or diminution of eyesight of *détenus*?

(*b*) If so, in how many instances of each character, and in connection with what *détenus*?

(*c*) What action has been taken in these cases and with what effect?

Answer by the Hon'ble MR. KERR :—

"(*a*), (*b*) and (*c*) Government have received information, either by direct reports from their own officers or through petitions, regarding sickness, loss of weight, diminution of eyesight, etc., and, through their own officers, have endeavoured to secure amelioration in such cases. Where the climate of one place has not been found suitable, the *détenu* has been transferred. *Détenus* have been brought into hospitals, or medical attendance has been sent to them, and in the cases of defective eyesight, some have been brought into Calcutta for treatment.

Every attention has been paid to the complaints of *détenus*, so far as they were found to be justified in fact.

It is not practicable within the limits of this answer to give full details of such cases; nor are Government prepared, in accordance with the policy explained in the reply given to question 6(*a*) asked by the Hon'ble

Babu Surendra Nath Banerji at the Council meeting of the 26th July, 1915, to publish in the proceedings of this Council details of the cases of particular *détenus*.

Government have no reason for believing that the proportion of ill-health among *détenus* is any greater than it would be if they had been pursuing their normal occupations."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XIII.—Have the Government ascertained the opinion of medical and other authorities as to the suitability of solitary cells for keeping *détenus* confined therein, especially with regard to their sanitary aspect? Confinement of *détenus* in solitary cells.

Answer by the Hon'ble MR. KERR :—

"The answer is in the affirmative."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XIV.—With reference to the answer to unstarred question No. XXIV (*d*) and (*e*) of the meeting of the 3rd July, 1917, are the Government considering the desirability of making arrangements for the regular medical inspection of *détenus* who are either confined in jails or domiciled elsewhere? Medical inspection of *détenus*.

Answer by the Hon'ble MR. KERR :—

"As regards *détenus* who are temporarily confined in jails, such arrangements exist at present, and as regards those domiciled in districts, it is believed that the rules for the inspection of such *détenus* by various officers of Government are sufficient to ensure that any *détenu* who is really ill does receive medical help when necessary."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XV.—(*a*) With reference to the answer to unstarred question No. XL of the meeting of the 3rd July, 1917, will the Government be pleased to state whether non-official visitors do generally visit persons confined in jails under the Defence of India Act? Regular inspection of *détenus* by a body of non-official visitors.

(*b*) Are the Government considering the desirability of instituting a system of regular inspection of the *détenus* in jails and in Dullunda House by a body of non-official visitors, who may be specially nominated by Government for this purpose?

Answer by the Hon'ble MR KERR :—

"(*a*) Government have no information as to whether non-official visitors generally visit *détenus* confined under the Defence of India Act in jails, but there is no prohibition against such visits.

(*b*) The answer is in the negative."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XVI.—(*a*) In the case of the grant of allowances to family members of *détenus* is there any rule or practice whereby the grant is made with effect from the date of their arrest? Grant of allowances to families of *détenus*.

(*b*) If not, are the Government considering the desirability of laying down such a rule, particularly in the cases of *détenus* who happen to be the bread-winners?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*b*) In the case of the grant of allowances to the family members of *détenus*, the practice is that such are granted with effect from the date of the *détenu's* arrest, except for special reason in special cases."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

The Provincial Judicial Service

XVII.—(*a*) Has the attention of the Government been drawn to the fact that the present scale of pay of the Provincial Judicial Service as appears in the report of the Public Services Commission (*vide* Schedule IV of Annexure X to the report of the Public Services Commission) is very different from and higher than the actual scale of that Service as appears in the Quarterly Civil List of the 1st April, 1917?

(*b*) Are the Government aware that the present scale of the Provincial Judicial Service as shown in the Public Services Commission Report bears a close resemblance to the actual present scale of the Provincial Executive Service?

(*c*) Will the Government be pleased to state the circumstances under which the present scale of the Provincial Judicial Service as appears in the Public Services Commission Report was placed before the said Commission?

(*d*) Will the Government be pleased to state whether any scheme such as the scheme put forward by the Public Services Commission was sanctioned or proposed before or after the commencement of the investigation by the said Commission and if any attempt was or is being made to place the Provincial Judicial Service on the same footing with the Provincial Executive Service?

(*e*) If so, will the Government be pleased to state whether it was in the contemplation of the Government to give effect to the scheme?

(*f*) Is it still in the contemplation of the Government to give effect to that scheme? If not, when was the scheme abandoned?

(*g*) Are the Government aware that even the present scale shown in the report of the Commission as distinguished from the improved scale proposed by the said Commission will satisfy the members of the Provincial Judicial Service?

(*h*) Will the Government be pleased to state whether it is in their contemplation to give effect to the scheme proposed by the Public Services Commission for increase of the pay of the Provincial Judicial Service during the next financial year?

(*i*) If not, are the Government considering the advisability of affording some temporary relief to the Munsifs by granting them such personal allowances as would make their pay approximate to the present scale as shown in the report of the Public Services Commission?

Answer by the Hon'ble MR. KERR :—

"(*a*) The Royal Commission seem to have been under some misapprehension in regard to this matter. The present scale of Munsifs shown in the table on page 225 of their report is not the actual existing scale, but a scale which was proposed by the High Court in 1914. At the request of the High Court, the scheme was forwarded to the Government of India for consideration along with the report of the Royal Commission.

(*b*) The object of that scheme was to assimilate conditions in the Provincial Judicial Service with those in the Provincial Executive Service, particularly in regard to the pay of the lowest grade and the number of years required to reach the Rs. 400 grade. As a matter of fact, however, the average rate of pay in the Judicial Service would have been raised by the High Court's scheme from Rs. 378 to Rs. 395 per mensem. The average rate of pay in the executive service is now Rs. 377 per mensem.

(*c*) The report of the Royal Commission does not show how the High Court's scheme came to be placed before the Commission, but presumably it was communicated to them by the Government of India.

(*d*) No orders were passed on the High Court's scheme, as consideration of the whole question of improving the prospects of the Provincial Judicial Service was deferred pending the receipt of the report of the Royal Commission. For the reasons given in paragraph 64, annexure X, of their

report, the Royal Commission have proposed that the Judicial Service should be given substantially higher rates of pay than the Executive Service.

(*e*) Provision was made in the budget of 1914-15 for raising the pay of the lowest grade of Munsifs to Rs. 250, but owing to the decision to postpone action pending the report of the Royal Commission, effect was not given to the proposal.

(*f*) The whole question will now be re-examined in the light of the Royal Commission's report, and Government have not decided on any scheme.

(*g*) Government have no information on the subject.

(*h*) It is impossible to say when orders will be passed on the Royal Commission's proposals.

(*i*) The answer is in the negative."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Conduct of Kanungoes and other Survey and Settlement Officers.

XVIII.—(*a*) Are the Government aware that the Kanungoes and other officers of the Survey and Settlement Department are in the habit of asking and of compelling villagers, even in spite of refusals, to hold umbrellas over their heads and tables, and to carry their tables from place to place?

(*b*) Are the Government aware that this treatment is resented by the villagers?

(*c*) Are the Government aware that there have been instances in which the Kanungoes and other officers have abused and assaulted the villagers for refusing to do them this service?

(*d*) Is it a fact that such insistence on the part of the Kanungoes and other officers has, in some instances, led to disturbances giving rise eventually to criminal cases?

(*e*) Is it a fact that there was recently a criminal case of this type at Brahmanbaria, in the district of Tippera, in which Babu Hiranmoy Roy, a Kanungo, was the complainant, and that there was a counter-case brought against him for assault upon a villager?

(*f*) Are the Government aware that there exists a feeling amongst the Kanungoes and other officers that they have acquired through custom a right to this service from the villagers?

(*g*) Are the Government considering the desirability of taking action with a view to expressing their disapprobation of the conduct of the officers of the Settlement Department as complained of and of preventing its continuance?

Answer by the Hon'ble MR. KERR :—

"The facts of the specific case referred to in this question are set forth in the appellate judgment of the Sessions Judge, a copy of which is laid on the table. The story discloses faults on both sides. Government have no reason to believe that Settlement Kanungoes are habitually discourteous or oppressive, or that villagers are habitually averse to rendering small services such as one man is ordinarily willing to render to another irrespective of station, nor do Government contemplate taking any further action."

Copy of judgment referred to in the answer by the Hon'ble MR. KERR, *to Question No. XVIII (unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA.

HEADING OF JUDGMENT OF APPELLATE COURT.

COURT OF SESSIONS, APPELLATE JURISDICTION.

Criminal Appeal No. $\frac{42}{2nd}$ of 1916, sections 147, 323 and 353, Indian Penal Code. Appeal from the order of Babu B. K. Das, Deputy Magistrate, Brahmanbaria, dated 11th June, 1917.

Munjar Ali and 2 others .. .. *Appellants.*

The appeal in this case is against a sentence only as the appellants pleaded guilty in the Lower Court.

The complainant is a Kanungo engaged on settlement work. While working in the heat of the day it is necessary to have an umbrella held ove the table on which papers and maps are put, for otherwise the glare of the sur light makes it almost impossible to read small figures. A small boy wa holding the umbrella for the Kanungo, but as he was inefficient the Kanung called to the appellant Munjar Ali to hold it. This appellant is a nephew o one of the leading men of the village and resented being asked to do what h looked on as a menial duty. He refused to hold the umbrella. Th Kanungo then abused him calling him a *Suar*, and when appellant took a ste forward, the Kanungo gave him a slap.

About two hours later the Kanungo was returning home and happene to pass along an *ail* near which Munjar Ali appellant was working with som other men. There is some suggestion that the Kanungo gave further prove cation, but this has not at any rate been proved. The appellants and som others then attacked and beat the complainant knocking him down and the beating him with the bulks of their *kodalis*.

The appellants have pleaded guilty to an offence under section 353, Pena Code, and we must take it therefore that the offence falls technically under thi section, but complainant was clearly attacked purely in his private capacit in revenge for the insult and blow he had given to Munjar Ali.

The appellants had provocation, but their combined attack on an unarme man was quite inexcusable. In consideration, however, of the fact tha considerable provocation had been given, I think that the sentences are rathe severe.

I therefore set aside the sentences of fine. The fine, if paid, must b refunded.

The sentences of imprisonment are in each case reduced to one month' rigorous imprisonment only.

The order passed under section 106, Criminal Procedure Code, wil remain undisturbed

F. W. WARD—6-7-1917.

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Right of Municipalities to elect their own Chairmen

XIX.—Will the Government be pleased to state the principles o which, and the reasons for which, the right to elect their Chairmen ha recently been granted to 11 Municipalities, and the reasons for withholding the same right from 14 Municipalities in Bengal?

Answer by the Hon'ble MR. DONALD :—

"The Hon'ble Member is referred to the first and second paragraphs o this Government circular No. 10 T.—M., dated the 24th October, 1916, o which a copy is laid on the table."

Circular referred to in the answer by the Hon'ble MR DONALD *to questio No. XIX (unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATT *at the Council Meeting of the 7th August, 1917.*

Circular No. 10 T.—M., dated Darjeeling, the 24th October, 1916.

From—L. S. S. O'MALLEY, ESQ., I.C.S., Secretary to the Government o Bengal, Municipal Department,

To—All Commissioners of Divisions.

I AM directed to refer to your

(1) Burdwan.
(2) Presidency.
(3) Dacca.
(4) Chittagong
(5) Rajshahi.

(1) letter No. 475 T.—M., dated 19th August, 1916,
(2) letter No. 25 M., dated 28th April, 1916,
(3) letter No. 2201 J., dated 2nd March, 1916,
(4) letter No. 3765 G., dated 26th May, 1916,
(5) letter No. 1596 M., dated 12th June, 1916,

submitting a report on the four questions relating to the nomination and election o Municipal Chairmen which were raised in this department circular No. 10 M., date the 17th February, 1916, viz.—

(1) What municipalities included in Schedule II are desirous of being remove from that schedule, and which of them can be allowed to elect their ow Chairmen without injury to the welfare of the ratepayers whom they represent.

(2) Whether in the event of any municipality included in Schedule II not desiring or not obtaining removal from that schedule, it would prefer the powers of nomination vested in Government to be exercised solely in the appointment of a non-official as Chairman.

(3) Whether the Commissioners of municipalities not included in Schedule II desire to retain the option of electing officials to the post of Chairman.

(4) Whether for the purposes of election to the post of Chairman, professional gentlemen whose services are retained by Government, such as Government Pleaders, should be classed as officials or non-officials.

I am now to communicate the following orders of the Governor in Council on these uestions.

2. The case of every municipality in Schedule II of the Bengal Municipal Act as been carefully considered, and orders have been issued removing from that schedule I municipalities which can, in the opinion of the Governor in Council, be allowed o elect their own Chairmen without injury to the welfare of the ratepayers. Consequently, only 14 municipalities will be left in Schedule II, of which 8 have at present fficials as Chairmen. The circumstances of these municipalities are exceptional, and is considered undesirable to make any change in their constitution. The Commisioners of some of these municipalities are averse to exclusion from the schedule, and he Governor in Council does not wish to force on them an autonomy which they themelves do not desire.

3. As regards the question whether officials should be elected as Chairmen in munipalities not included in Schedule II, the Royal Commission upon Decentralizaion in India were of opinion that Government officers should not be allowed to stand or election, since this would, in many places, virtually imply their return. The iovernor in Council considers, however, that such an argument cannot apply to the irge number of Government servants who exercise no executive control; and he is of pinion that it will be sufficient to lay down that in future District and Subdivisional Officers are not to be allowed to stand for election as Chairmen. At the same time e recognizes that cases may arise in which the Municipal Commissioners may consider hat the appointment of a District Officer or Subdivisional Officer as Chairman is in the est interests of the municipality. In such cases it will be open to the Municipal 'ommissioners to request the Local Government to appoint a Chairman under section 3 (2), Bengal Municipal Act, and to recommend the appointment of the District Officer r Subdivisional Officer. Due weight will be given by Government to such recommendaions.

4. I am to add that if the District Officer or Subdivisional Officer is a Municipal 'ommissioner without being Chairman, a position may be created which will lead to ifficulty, and that therefore Government propose in future not to appoint any District r Subdivisional Officer as a Municipal Commissioner.

5. I am also to state that the Governor in Council desires that those Subdivisional Officers who have already been elected Chairman after being appointed Municipal 'ommissioners by Government should continue to serve as Chairmen till the expiry of heir term of office. Similar instructions are not required in the case of District Magistrates, as no District Magistrate is at present an elected Municipal Chairman.

6. With regard to the question whether in the case of municipalities included in chedule II Government should appoint only non-officials as Chairmen, there is a good eal of difference of opinion on the subject among the Commissioners of the municipalies concerned, and Government consider it advisable that their choice should not be estricted either to officials or to non-officials.

7. As regards the fourth question, whether gentlemen who serve Government in professional capacity, such as Government Pleaders, should be placed in the category f officials or non-officials, I am to say that Government have no objection to their ffering themselves for election and being elected as Municipal Chairmen.

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Appointment of junior Deputy Collectors as Sadar Subdivisional Officers.

XX.—(*a*) Is it a fact that junior Deputy Collectors have been appointed Sadar Subdivisional Officers in several districts in Bengal and that Deputy Collectors senior to them have to work under them?

(*b*) Is it a fact that junior officers in their capacity as Sadar Subdivisional Officers in those districts transfer cases to senior officers and pass orders on them asking them to record confessions, make local inquiries and to do other work?

(*c*) Are the Government aware that this system is causing great discontent among the senior Deputy Collectors?

(*d*) Has it been brought to the notice of Government that the discontent has been so keen that there have been instances in which senior officers have taken leave to escape the indignity of working under junior officers?

(*e*) Will the Government be pleased to state whether the practice c appointing junior officers as Sadar Subdivisional Officers is in conformit with the Government scheme about Sadar subdivisions?

(*f*) If not, will the Government be pleased to state whether they a considering the desirability of discontinuing this practice?

Answer by the Hon'ble MR. KERR :—

"Sadar Subdivisional Officers have to do a considerable amount touring, and it is essential that they should be active and energetic officer It may happen therefore that the Sadar Subdivisional Officer is junior to son of the other Deputy Collectors at head-quarters, and, in so far as the latt are employed upon criminal work arising within the subdivision, they a under section 17(2) of the Code of Criminal Procedure subordinate to tl Sadar Subdivisional Officer, subject to the general control of the Distri Magistrate. A staff of Deputy Magistrates and Sub-Deputy Magistrates allotted to the Sadar Subdivisional Officer by the District Officer in proportic to the amount of criminal work to be done in the subdivision, while tl rest of the head-quarters staff is employed on revenue or other work direct under the District Officer. Government are not aware that the existir arrangements have given rise to any general discontent among senior Deput Collectors, though in one or two instances it seems to have been imagine that some slight to senior men was implied by the present practice. Th was never intended, nor is it necessary that any such deduction should l drawn. The system of Sadar Subdivisional Officers possesses variou advantages, and in selecting for these posts Government must be guided l the suitability of different candidates for the duties to be performed. Ther is no wish needlessly to hurt the feelings of senior officers, and while cannot be guaranteed that the Sadar Subdivisional Officer will always be tl senior Deputy Magistrate in the station, every endeavour will be made t lessen the risk of friction."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Certain statistics relating to the police.

XXI.—Will the Government be pleased to lay on the table a statemer showing, year by year, the total number of—

(*a*) Constables,
(*b*) Head Constables,
(*c*) Sub-Inspectors of Police,
(*d*) Inspectors of Police,
(*e*) Deputy Superintendents of Police,
(*f*) Additional Superintendents of Police, and
(*g*) Superintendents of Police,

in the general line in Bengal during the last five years?

Answer by the Hon'ble MR. KERR :—

"The information will be found in Statement D appended to the annu reports on the Police Administration in the Bengal Presidency for the la five years, to which the Hon'ble Member is referred."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Non-detection of certain classes of cases by the police.

XXII.—Will the Government be pleased to lay on the table a statemer showing the percentage of non-detection of the following classes of cases t the total number of cases reported to the police during the last five years—

murder,
attempted murder,
culpable homicide,
kidnapping,
dacoity,
robbery,
serious mischief, and
mischief by killing animals, etc.?

Answer by the Hon'ble MR. KERR :—

"The information will be found in Statement A (Part I) appended to the annual reports on the Police Administration in the Bengal Presidency and in the town and suburbs of Calcutta for the last five years, to which the Hon'ble Member is referred."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

XXIII.—Will the Government be pleased to lay on the table a statement showing, year by year, the value of the property—

(*a*) stolen, and
(*b*) recovered

in Bengal during the last five years in cases of theft and dacoity, etc., and the percentage of the value of property recovered to that of property stolen?

Statistics relating to value of property stolen and recovered.

Answer by the Hon'ble MR. KERR :—

"The information will be found in Statement C appended to the annual reports on the Police Administration in the Bengal Presidency and in the town and suburbs of Calcutta for the last five years, to which the Hon'ble Member is referred."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

XXIV.—Will the Government be pleased to state what is now the precise position of the scheme for the proposed Comilla-Srimundi Railway line?

The Comilla-Srimundi Railway.

Answer by the Hon'ble MR. COWLEY :—

"A reconnaissance survey for a proposed railway from Comilla to Srimundi was carried out by the agency of the Assam-Bengal Railway during the winter of 1916-17. The report has been prepared and is being printed."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXV.—(*a*) Are there any rules framed by the Local Government under section 19 of the Inland Steam-vessels Act, 1917, or any other provisions of law, which regulate the nature and number of life-boats and other life-saving devices to be carried by inland steam-vessels?

(*b*) Does the total accommodation afforded by the life-boats and the number of the life-saving appliances carried by an inland steam-vessel correspond in any manner to the total carrying capacity of the steam-vessel?

(*c*) Does the term "equipments of the steam-vessel" in clause (*b*) of section 7 of the Inland Steam-vessels Act of 1917, include any specified number of such appliances for each particular class of vessels?

Life saving devices on inland steam vessels.

Answer by the Hon'ble MR. COWLEY :—

"(*a*) The Hon'ble Member is referred to the answer given by the Hon'ble Mr. Green to a similar question asked by the Hon'ble Mr. Ashraf Ali Khan Chowdhuri in this Council on the 13th December, 1916.

(*b*) and (*c*) The Hon'ble Member is referred to paragraphs 23 to 27 of the Manual of Requirements as to the Survey of Vessels for Passenger Certificates (Certificates of Survey) under the Inland Steam-vessels Act, 1884, issued by the Government of Bengal."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXVI.—(*a*) What is the total number of steam-vessels in Bengal which are employed for the purpose of carrying—

(*i*) passengers, and
(*ii*) goods,

respectively?

Medical aid on inland steam-vessels.

(*b*) In how many of the passenger steamers is there any arrangement for rendering of medical aid to passengers?

(*c*) Are there any rules which determine whether steam-vessels are to have a medical officer on board; if so, what are they?

(*d*) Are the Government aware of any complaints as to the difficulties which are sometimes felt from want of proper medical aid for passengers on board steam-vessels?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) It is not consistent with the public interest to publish these statistics in war time.

(*b*) and (*c*) The Hon'ble Member is referred to the rules on pages 236-238 of the Marine Manual and to rule 165 of the rules framed under the Assam Labour and Emigration Act, VI of 1901.

(*d*) The Steamer Companies have from time to time brought to the notice of Government difficulties which have been experienced in connection with the rules in the Marine Manual. Government have taken steps to meet these difficulties and to improve the working of the rules."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Absence of sheds and waiting rooms at the steamer stations in Eastern Bengal, screened accommodation for 3rd class female passengers etc

XXVII.—(*a*) Are the Government aware of the grievances of the travelling public in Eastern Bengal due to the absence of sheds and waiting-rooms of any sort in most of the steamer stations in Eastern Bengal?

(*b*) Are the Government considering the desirability of requesting the Steam Navigation Companies in Bengal to provide screened accommodation for 3rd class female passengers on board the steam-vessels?

(*c*) Are the Government also considering the desirability of asking the Steamer Companies to provide latrine arrangements in the screened accommodation for inter-class female passengers?

Answer by the Hon'ble MR. COWLEY :—

"The information is being collected and a reply will be given at the September meeting."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Prevalence of kala-azar in Eastern Bengal and especially in Tangail and Manikganj

XXVIII.—(*a*) Is it a fact that kala-azar has, for some time, been prevalent in certain parts of Eastern Bengal, notably in Tangail and Manikganj?

(*b*) If so, are the Government considering the desirability of making an inquiry into the extent and causes of this outbreak?

Answer by the Hon'ble MR. DONALD :—

"(*a*) and (*b*) A few cases of kala-azar are reported to have been brought to the notice of the Civil Surgeons in the districts of Chittagong, Faridpur and Bakarganj. No other cases have been reported to Civil Surgeons in Eastern Bengal this year, and there appears to be nothing of the nature of an outbreak."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Effect of war on hospitals and dispensaries.

XXIX.—(*a*) To what extent has the supply of medicines in Government District Board and Municipal hospitals and dispensaries been affected since the outbreak of the war?

(*b*) Has any instruction been given to these dispensaries for using indigenous drugs?

(*c*) If so, to what extent has the shortage of imported medicines been made up thereby and with what result?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Apart from glycerine and carbolic acid, which are no longer obtainable, the supply of medicine has not been affected since the outbreak of war except to the extent caused by a rise in prices.

(*b*) Yes. Orders have been issued directing the use of indigenous drugs as far as possible.

(*c*) Government have no information as to the extent to which indigenous drugs have been used in accordance with these instructions, but as stated, there has been a shortage only of glycerine and carbolic acid, for which substitutes are employed."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXX.—(*a*) Is it in the contemplation of Government to introduce a Food and Drugs Bill for Bengal? Food and Drugs Bill.

(*b*) If so, when is it likely to be introduced?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes.

(*b*) The Bill is at present in a preliminary stage, and it is not possible to say when it is likely to be introduced."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

XXXI.—(*a*) Will the Government be pleased to state, separately for each district in the Dacca Division, the number of clerks, muharrirs and other ministerial officers in each of the following offices in :— Statistics relating to clerks, muharrirs and ministerial officers in certain offices.

(*i*) all offices under the Magistrate-Collector, including Registration,

(*ii*) all offices under the District and Sessions Judge,

(*iii*) all offices under the Civil Surgeon; and

(*iv*) all offices under the Superintendent of Police?

(*b*) How many of these clerks, muharrirs or other ministerial officers are Muhammadans?

(*c*) How many have passed at least the Matriculation or Entrance examination, and how many of these are Muhammadans?

Answer by the Hon'ble MR. KERR :—

"A statement giving the required information is laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR *to Question No. XXXI (unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ, *showing statistics relating to clerks, muharrirs and ministerial officers in certain offices in the Dacca Division.*

District.	Offices under the Magistrate-Collector, including Registration.				Offices under the District and Sessions Judge.				Offices under the Civil Surgeon.				Offices under the Superintendent of Police.			
	Total number of ministerial officers.	Number of ministerial officers who are Muhammadans.	Number of ministerial officers who have passed at least the Matriculation Examination.	Number of Muhammadan ministerial officers who have passed at least the Matriculation Examination.	Total number of ministerial officers.	Number of ministerial officers who are Muhammadans.	Number of ministerial officers who have passed at least the Matriculation Examination.	Number of Muhammadan ministerial officers who have passed at least the Matriculation Examination.	Total number of ministerial officers.	Number of ministerial officers who are Muhammadans.	Number of ministerial officers who have passed at least the Matriculation Examination.	Number of Muhammadan ministerial officers who have passed at least the Matriculation Examination.	Total number of ministerial officers.	Number of ministerial officers who are Muhammadans.	Number of ministerial officers who have passed at least the Matriculation Examination.	Number of Muhammadan ministerial officers who have passed at least the Matriculation Examination.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Dacca	216	68	88	12	150	16	116	12	2	...	1	...	13	3	9	3
Mymensingh ...	252	86	106	15	189	23	93	17	3	...	..	...	12	2	8	1
Faridpur ...	145	25	67	3	120	17	33	4	2	...	2	.	9	...	8	...
Bakarganj ...	212	[illegible]	87	8	153	15	106	2	2	1	2	1	14	4	13	4

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Filling up of vacancies in certain offices in the Dacca Division.

XXXII.—(*a*) Will the Government be pleased to state the number of vacancies that occurred in the offices under the control of the Magistrate-Collector, the District and Sessions Judge, the Civil Surgeon and the Superintendent of Police in each of the districts of the Dacca Division in the years 1915, 1916 and 1917 (up to the 30th June), respectively?

(*b*) How many of these vacancies were filled up by Muhammadans?

(*c*) How many of those appointed had failed to pass any University examinations and how many of such (as had not passed any examinations and were yet appointed) were Muhammadans?

Answer by the Hon'ble MR. KERR :—

"A statement giving the required information for the financial years 1915-16 and 1916-17 is laid on the table. Figures for calendar years and up to 30th June 1917 are not available."

Statement referred to in the answer by the Hon'ble MR. KERR *to Question No. XXXII (unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *giving statistics regarding the filling up of vacancies in certain offices in the Dacca Division.*

District.	Year.	OFFICES UNDER THE MAGISTRATE-COLLECTOR.				OFFICES UNDER THE DISTRICT AND SESSIONS JUDGE.				OFFICES UNDER THE CIVIL SURGEON				OFFICES UNDER THE SUPERINTENDENT OF POLICE.			
		Number of vacancies.	Number of vacancies filled by Muhammadans.	Number of persons appointed who had not passed any University Examination.	Number of Muhammadans appointed who had not passed any University Examination.	Number of vacancies.	Number of vacancies filled by Muhammadans.	Number of persons appointed who had not passed any University Examination.	Number of Muhammadans appointed who had not passed any University Examination.	Number of vacancies.	Number of vacancies filled by Muhammadans.	Number of persons appointed who had not passed any University Examination.	Number of Muhammadans appointed who had not passed any University Examination.	Number of vacancies.	Number of vacancies filled by Muhammadans.	Number of persons appointed who had not passed any University Examination.	Number of Muhammadans appointed who had not passed any University Examination.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Dacca ...	1915-16 ...	14	8	10	5	6	5	...	.	*	*	...	.	..	...	...	...
	1916-17 ...	8	5			6	1	...		...	...	.	...	2	...	...	...
Mymensingh ..	1915-16 ...	7	4	2	2	7	4		...	*	*	...	...	2	1	1	1
	1916-17 ...	8	1	2	...	9	2		.		..	..	...	1	1	...	...
Faridpur ...	1915-16 ..	3	2	2	1	6	2	6	2	†	†		...	...	...	...	...
	1916-17 ...	7	1			4	3				...	..	...	.	...	..	...
Bakarganj ..	1915-16 ...	4	3	2	2	5	2	2	'	...	.	..	...	...	...	...	...
	1916-17 ...	2	1	1	1	4	...	3	...	..	...	.	...	..	..	..	...

* Figures for calendar years are not available. † Figures not available.

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Increasing the number of wards in the Dacca Municipality.

XXXIII.—(*a*) Will the Government be pleased to state when the division of the present wards of the Dacca Municipality was made?

(*b*) What was the increase in the town area and population of Dacca since the last division was made?

(*c*) Are the Government considering the desirability of ordering an increase in the number of wards and of the Municipal Commissioners of Dacca proportional to the increase, if any, in area and population?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Seven wards were formed in 1868 and were notified under the Bengal Municipal Act in 1881.

(*b*) The area has not increased. According to the census statistics the population has increased by 39,557 since 1872 and by 29,783 since 1881.

(*c*) It is not the policy of Government to alter the constitution of municipalities *suo motu*. The Municipal Commissioners will be consulted about the suggestion made by the Hon'ble Member."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

XXXIV.—Will the Government be pleased to state the principle broadly on which selection is made of Government nominees to Local Bodies?

Selection of Government nominees to local bodies

Answer by the Hon'ble MR. DONALD :—

"The objects kept in view in selecting Government nominees to local bodies are—

(1) to ensure that different communities and interests are adequately represented;

(2) to secure a necessary element of official experience; and

(3) to secure the appointment of non-official gentlemen who have not stood for election but whose services are of value in the administration of local affairs."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

XXXV.—(*a*) Is it a fact that—

Alleged suppression of questions at the Dacca Meeting in 1914

(*i*) a number of questions of which notice was given in time by Mr. Surendra Nath Banerji, Dr. Deba Prasad Sarbadhikari, Mr. Surendra Nath Ray, Dr. Nilratan Sarkar and Rai Radha Charan Pal Bahadur, for being answered at the meeting of the Council held at Dacca in 1914, were withheld from the Agenda paper,

(*ii*) that comment was made on this fact in the editorial columns of the *Herald* of Dacca,

(*iii*) that thereupon the conductors of that newspaper were called upon by Government to withdraw the remarks made therein,

(*iv*) that in reply thereto a report was published in the said newspaper containing statements made by the Hon'ble Members mentioned above bearing out that the questions were in order and that timely notice had been given thereof?

(*b*) If the questions alluded to were actually withheld, will the Government be pleased to state why they were so withheld?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*b*) The notices of the questions referred to were not received in time (in accordance with Rule 7) for the meeting at Dacca on 5th August, 1914.

Steps were however taken to prepare the answers, but unfortunately they were not ready in time.

Replies to these questions were given at the September meeting of the Legislative Council."

SUPPLEMENTARY QUESTIONS.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ asked the following supplementary question :—

"Is it a fact that some questions have been withheld this year also?"

The Hon'ble MR. BEATSON BELL replied :—

"I do not quite understand what the Hon'ble Member means by 'withheld.' No question was withheld in 1914, nor this year. Ninety-six questions have been admitted for reply for this meeting: we are answering 90, and 6 questions have been postponed to the next meeting, as it was impossible to obtain information to enable us to reply to them to-day. Three questions are being replied to at this meeting which were postponed from a previous meeting."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"I was not quite right in using the word 'also.' What I mean is this. Have any questions been held back this year except for the reason that they were out of time?"

The Hon'ble MR. BEATSON BELL replied :—

"No questions have been 'held back.'"

By the Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY :—

Condition of roads between Howrah Station and Salkea.

XXXVI.—(*a*) Has the attention of the Government been drawn to the condition of the Grand Trunk Road and other roads used by the Tramway Company between the Howrah Railway Station and Salkea?

(*b*) If so, have any steps been taken to remedy the defects of the roads?

(*c*) Have the Howrah Municipality and the Tramway Company been directed to repair the roads at an early date and also to prevent their falling into disrepair in future?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes.

(*b*) Yes.

(*c*) The Public Works Officers and the Tramway Company have been requested to put those portions of the roads for which they are responsible into proper repair and to maintain them in a satisfactory condition. The municipality has also been addressed regarding the roads in their charge."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Recurring grant of nine lakhs to Education Department, Bengal.

XXXVII.—(*a*) Will the Government be pleased to lay on the table the Government of India's Resolution sanctioning the recurring annual grant of nine lakhs of rupees to the Bengal Education Department?

(*b*) With what object has this grant been made?

(*c*) Is it a fact that a very large portion of the grant is going to be spent for—

(*i*) the acquisition of lands, construction and equipment of the David Hare Training College, and

(*ii*) the building and equipment of some Government and aided High Schools?

(*d*) Will the Government be pleased to indicate the lines on which the recurring grant will be disbursed year after year?

(*e*) With regard to the disbursement of the grant this year and in succeeding years, have the Government consulted non-official public opinion as to the best way of meeting the most urgent and vital educational necessities of this Presidency in consonance with the intentions of the Government of India?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) A copy of letter No. 302, dated 29th March, 1917, from the Government of India, Department of Education, is laid on the table.

(*b*) The grant is intended for the improvement of the training and pay of teachers in primary and secondary schools.

(*c*) and (*d*) Proposals for the utilization of the grant have been submitted for the approval of the Government of India. Until their orders are received the Government of Bengal are not in a position to make a statement on the subject. It may however be said that expenditure on the building and equipment of high schools is precluded by the terms of the grant.

(*e*) No."

Letter referred to in the answer by the Hon'ble MR. HORNELL *to question No. XXXVII (unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ.

No. 302, dated Simla, the 29th March, 1917.

From THE HON'BLE SIR E. D. MACLAGAN, K.C.I.E., C.S.I., Secretary to the Government of India, Department of Education,

To—The Secretary to the Government of Bengal, General Department.

I AM directed to refer to paragraph 3 of the Finance Department letter No. 410 F., dated the 3rd March, 1917, intimating that the Government of India have decided to make a recurring grant from Imperial revenues of Rs. 9,00,000 for the improvement of the training and pay of teachers in primary and secondary schools in the Bengal Presidency with effect from the year 1917-18.

2. As regards the specific objects on which the grant may be expended, attention is invited to the following statement on the subject made by the Hon'ble Sir Sankaran Nair in the Imperial Legislative Council on the 10th March, 1917 :—

"The grant made to each province will be available at its discretion for training or for pay or both. It will be recurring. The grant can be utilised for primary or secondary education as desired, but we hope that a predominant share will be given to primary teachers. It is intended primarily for male teachers as it will probably be best to deal with female education on a separate footing, but there will be nothing to prevent Local Governments from using such part of it as they may wish for female teachers. The grant will be available for use during the coming year, and we expect it as far as possible to be so used."

3. I am also to observe that as stated in their letter No. 166, dated the 23rd February, 1916, the Government of India attach considerable importance to the establishment of provident funds for teachers in non-pensionable service, and that they trust that it may be found possible to earmark a portion of the present grant with a view to starting such funds as soon as it is possible to do so.

4. I am further to request in this connection that the Government of India may be supplied, by the 15th of May next, with a brief account of the action taken up to date to carry out the programme set forth in the reply furnished to this Department circular letter No. 838-849, dated the 9th May, 1913, so far as this relates to the training of the teachers and the improvement of their pay.

5. I am to request that the proposals of the Local Government for th utilisation of the present grant may be submitted to the Government of Indi for approval before expenditure is undertaken.

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Statistics relating to the purchase of local and foreign articles by Government.

XXXVIII.—Will the Government be pleased to state the total price of—

(*i*) local manufactures, and

(*ii*) imported foreign articles,

purchased by the Government of Bengal in 1916-17?

Answer by the Hon'ble MR. DONALD :—

"(*i*) Rs. 5,77,573, and

(*ii*) Rs. 11,27,678, out of which Rs. 9,07,767 represents the cost of imported stores purchased in India."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Case of a motor cycle accident at Dacca.

XXXIX.—(*a*) Are the Government aware that at Dacca, on the 10th June last, an old Bengali gentleman of the name of Babu Sashi Bhushan Sen, retired Assistant Inspector of Schools, Rajshahi Circle, was knocked down by a motor cycle and that he subsequently died from the effects of the shock sustained?

(*b*) Are the Government also aware that the rider of the motor cycle, an Armenian, was immediately arrested by Babu Narendra Nath Sen, the Sadar Subdivisional Officer, who happened to be on the spot?

(*c*) Is it a fact that in the subsequent inquiry the matter was disposed of as an accident by a Deputy Magistrate, prior to the death of the injured gentleman?

(*d*) Is it a fact that the case was disposed of without the said Sadar Subdivisional Officer being examined before the trying Deputy Magistrate?

(*e*) Are the Government considering the desirability of directing a further inquiry into the matter?

Answer by the Hon'ble MR. KERR :—

"The Hon'ble Member is referred to the answer given to the question put on this subject by the Hon'ble Rai Mahendra Chandra Mitra Bahadur. Government do not propose to direct any further inquiry into the matter."

By the Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY :—

Passages in books alleged to wound the religious feelings of Muhammadans.

XL.—(*a*) Are the Government aware of the existence of the following books, namely :—

(*i*) "History of India," by Prothero (Macmillan & Co.) and

(*ii*) "English Reader" No. V (Macmillan series)?

(*b*) Has the attention of Government been drawn to certain passages in the abovementioned books which have been considered by Muhammadans to be calculated to wound their feelings and insult their religion?

(*c*) Will the Government be pleased to state whether they are considering the desirability of taking steps to eliminate the said passages from the books and to stop their further publication pending such elimination?

Answer by the Hon'ble MR. KERR :—

"(*a*) Yes.

(*b*) and (*c*) It is understood that a suggestion has been made that the first book mentioned in the question contains a passage which might be offensive to Muhammadans. The matter is under the consideration of the Director of Public Instruction. No complaints have been received in regard to the second book."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XLI.—(*a*) Are the Government aware that certain books used in schools in Bengal contain passages which are considered by the Hindus to be highly offensive to their religious feelings?

Use of school books alleged to contain passages hurtful to the religious feelings of Hindus.

(*b*) Is "W. McMordie's Studies in English" one of the books recommended for use in schools?

(*c*) If so, has the attention of the Government been drawn to passages in the said book containing reflections on the character of certain Hindu gods?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) Government are not in a position to reply to the question without information as to the books and schools referred to.

(*b*) and (*c*) The book in question is not in the approved list of text-books."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XLII.—(*a*) Is any attention being given by the Department of Agriculture in Bengal to the study of fruit trees and plantations?

Study of fruit trees and plantations.

(*b*) What is the extent of the resources of Bengal in paper pulp?

Answer by the Hon'ble MR. KERR :—

"(*a*) Experiments in fruit culture are conducted at the Kalimpong Agricultural Farm. In 1916 Mr. McLean, Deputy Director of Agriculture, made a survey of the fruits of the Presidency, but he was unable to submit his report before he went away on military duty.

(*b*) Bengal has extensive resources in such materials as are the basis of paper pulp."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XLIII.—(*a*) Will the Government be pleased to make a statement detailing the circumstances that led to the enforcement of a deposit of Rs. 1,000 as security under the Press Act from the new publisher of the vernacular weekly newspaper *Sanjibani*?

Security demanded from the *Sanjibani*

(*b*) Is it a fact that the requisite declaration under the Press and Registration Act, 1867, by the new publisher, was occasioned by the death of the former incumbent?

(*c*) Is it also a fact that the conductors of the *Sanjibani* had not before now been called upon to furnish any security under the Press Act, nor warned on any occasion?

(*d*) Are the Government aware that the *Sanjibani* is a paper of over thirty years' standing?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*b*) Owing to the death of the former publisher of the *Sanjibani*, the new publisher became liable under section 8 of Act I of 1910 to deposit security unless exempted by the Magistrate for special reasons to be recorded by him. The Chief Presidency Magistrate, after considering the circumstances of the case, ordered the publisher to deposit the sum of Rs. 1,000 as security.

(*c*) The *Sanjibani* having been in existence before the commencement of Act I of 1910, has hitherto been exempt from furnishing security under section 3 of the Act. The paper was twice warned in 1916 for publishing objectionable articles.

(*d*) Government are aware that the paper has been in existence for many years, but have no precise information regarding the date of its foundation."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Deposits under the Press Act

XLIV.—(*a*) What are the circumstances that determine the amount of deposit to be demanded in each case under the Press Act?

(*b*) Will the Government be pleased to state the considerations that led to the fixing of the security in the case of the publisher of the *Sanjibani* at double the minimum laid down in the Act?

(*c*) What is the exact procedure followed by the Magistrate in these matters and upon what principles or considerations does he proceed to fix the amount of deposit?

(*d*) Is it usual for him to call for police reports before fixing the deposit?

(*e*) Is the intending declarant informed about the purport of the police report when it goes against him and given an opportunity for explanation?

(*f*) Have the Government framed any rules for the guidance of Magistrates in this behalf?

(*g*) Did the matter of the *Sanjibani* come up before Government for consideration? If so, will the Government be pleased to state the reasons for upholding the order of the Magistrate?

Answer by the Hon'ble MR KERR :—

"(*a*) The amount of security is a matter for the decision of the Magistrate

(*b*) The order of the Chief Presidency Magistrate does not disclose the grounds on which it was made, but it appears from the papers of the case that the paper had recently been twice warned for publishing objectionable articles and that the new publisher is a man of little education or position, who has hitherto been working as a compositor on Rs. 19 a month in the *Sanjibani* Press.

(*c*) and (*d*) The Magistrate calls for reports from the Police regarding the history and standing of the printer and publisher, and considers these reports together with the general tone of the paper and the subject-matter with which it deals.

(*e*) Government have no information, but the intending declarant is entitled to make any representation he wishes to the Magistrate.

(*f*) No rules have been framed, but general instructions have been issued from time to time for the guidance of Magistrates.

(*g*) The case was not referred to Government by any of the officers dealing with it, but late on the 19th June, an informal representation was received by Government stating that the matter was coming up before the Chief Presidency Magistrate on the following day and asking that Government should examine the case. On the 20th June, however, the Chief Presidency Magistrate passed orders on the case, the papers of which were subsequently examined by Government with the result that they decided that they would not be justified in moving the Chief Presidency Magistrate to revise his orders."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Deposits under the Press Act.

XLV.—Will the Government be pleased to state whether it is their intention to insist on security being deposited in cases of *bona fide* change of publisher occasioned by death, as in the instance of the *Sanjibani*?

swer by the Hon'ble MR. KERR :—

"The law on the subject is contained in section 8 of Act I of 1910, which kes the publisher in such cases liable to furnish security unless exempted the Magistrate for special reasons to be recorded by him."

the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XLVI.—Has any proposal been recently submitted by any party to the trict Board of Dacca for permission to open a motor service between cha and Manikganj? If so, will the Government be pleased to state what on has been taken thereon by the Board?

Motor service between Aricha and Manikganj.

swer by the Hon'ble MR. DONALD :—

"Yes. The District Board passed the following resolution at a meeting l on 18th June, 1917 :—

'Considered the proposals of C. A. M. M. Anis, Esq., to open a motor vice from Aricha to Manikganj.

Resolved that on Mr. Anis depositing half the estimated cost of initial k and annual repair the District Board will carry out the work provided t Mr. Anis executes an agreement that if further expenditure is necessary the improvement of the road or facilitation of traffic he will share the equally with the District Board. The opinion of the District Board shall inal and conclusive as to the necessity for any such work, *e.g.*, the bridging ne or more breaches. On the above conditions being complied with, the trict Board will exempt Mr. Anis' cars from ferry charges on the road. Board further resolves that should any new bridge be subsequently structed and the cost be enough to make tolls leviable tolls will be levied Mr. Anis' cars will be exempted on the ground of his paying half the ."

the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XLVII.—(*a*) With reference to the answer to my unstarred question XVII, at the meeting of the Council of the 3rd July, 1917, regarding the ed deposits of landlords' fees in the Dacca, Rajshahi and Chittagong isions, has the attention of the Government been drawn to a statement at e 95 of the report of the Dacca University Committee to the effect that ost the whole of the landlords' fees paid under Chapters III and IV of Bengal Tenancy Act, becomes forfeit to Government under section 18 C? (*b*) If so, will the Government be pleased to state whether the said ement is based on facts?

Lapsed deposits of landlords' fees in the Dacca, Rajshahi and Chittagong Divisions.

swer by the Hon'ble MR. KERR :—

"(*a*) Yes

(*b*) During the years to which the Dacca University Committee presum- referred the percentage of the amount paid out in landlords' fees to the unt received as such was as follows in the Dacca, Rajshahi and Chitta- g Divisions :—

			Dacca Division	Rajshahi Division	Chittagong Division
1908-09	...	...	0·55	6·35	16·68
1909-10	...	...	1·66	4·56	20·17
1910-11	...	...	23·93	31·09	24·36

For subsequent years the figures have been :—

	Dacca Division	Rajshahi Division	Chittagong Division
1911-12	53·08	59·00	37·9
1912-13	59·87	33·69	98·71
1913-14	50·83	66·82	72·7
1914-15	66·39	51·75	107·6
1915-16	56·79	35·24	78·02

Under section 180 of the Bengal Tenancy Act landlords' fees held in deposit may, unless accepted or claimed within the prescribed period, be forfeited to Government. Forfeiture does not, however, take place by lapse of the prescribed period, but only on a declaration by the Collector that specific fees have been forfeited and until such a declaration has been made the sums liable to forfeiture are treated as lapsed deposits, *i.e.*, although they are provisionally treated as an item of public revenue, they are still held by Government at the disposal of the persons to whom they are due, and will be paid with the sanction of Government on application being made. There are at present considerable sums still held as lapsed deposits which are liable to forfeiture, but have not yet been forfeited.'

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Uniformity of text-books in the two Bengals.

XLVIII.—(*a*) Has the attention of the Government been drawn to the fact that the text-books prescribed in the Zilla Schools in Eastern and Western Bengal are different?

(*b*) Are the Government aware that this causes great difficulty to boys who are compelled to take transfer, owing to movements of their guardians from Eastern Bengal to Western Bengal, and *vice versa* in the middle of a session?

(*c*) Are the Government considering the advisability of making text books in the two Bengals uniform?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) There are different curricula for Eastern and Western Bengal. Consequently the text-books in use in Eastern Bengal are not identical with those in use in Western Bengal.

(*b*) and (*c*) Government consider it desirable that there should be a uniform curriculum for the whole Presidency. Such a curriculum is now being prepared, and it is proposed to make uniform arrangements for text-books when a uniform curriculum is brought into force."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Agricultural Department.

XLIX.—Will the Government be pleased to lay on the table a statement showing for the last five years—

(*i*) the total amounts involved in the maintenance of the Department of Agriculture in Bengal;

(*ii*) how much of these amounts was, during each year, spent on salaries of officers and employees of all grades;

(*iii*) how much was spent on travelling expenses; and

(*iv*) what proportion of item (*ii*) and item (*iii*) was due to the non-Indian elements on the staff?

Answer by the Hon'ble MR. KERR :—

"A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. XLIX asked by the Hon'ble* BABU AKHIL CHANDRA DUTTA *showing the expenditure on the Agricultural Department and on salaries of officers, pay of establishment, and travelling allowances of officers and establishment during the five years 1912-13 to 1916-17.*

YEAR	Expenditure on the Agricultural Department	SALARIES OF OFFICERS. Non-Indian.	Indian.	Total	Pay of establishment.	Travelling allowances of officers and establishment.	REMARKS
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1912-13 ...	3,49,731	69,324	20,994	90,318	53,591	27,020	(a) The figures for 1912-13 to 1915-16 represent actual expenditure incurred during those years, while the figures for 1916-17 represent the revised estimate of expenditure for that year.
1913-14 ...	4,52,054	57,747	21,944	79,691	59,396	32,480	
1914-15 ...	5,09,605	67,065	28,537	95,602	94,527	41,799	(b) The figures given under columns (6) and (7) are only approximate as in some cases expenditure under establishment and travelling allowance is lumped with other expenditure in the budget estimates and it is not possible to separate them.
1915-16 ...	5,90,583	76,970	46,964	1,23,934	1,06,378	82,726	
1916-17 ...	5,92,000	80,880	41,420	1,22,300	1,15,000	85,800	(c) The travelling allowance of non-Indian members of the staff cannot be distinguished without laborious calculations.

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

L.—What is the number of—

(*a*) villages in the Presidency, containing a population—

(*i*) of less than 500, and

(*ii*) of 500 and above

which do not possess any elementary school, and

(*b*) of villages which have no elementary schools within a radius of two miles?

Elementary schools in the villages

Answer by the Hon'ble MR. HORNELL :-

"The information is not available, and as its collection would involve an undue amount of labour on local officers, the Government are not prepared to call for it."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

LI.—(*a*) Are the Government considering the desirability of instituting an inquiry as to the number of appointments made in the Civil Veterinary Department and Bengal Veterinary College in which seniority in service has been overlooked?

Appointments in the Civil Veterinary Department and Bengal Veterinary College.

(*b*) Is it a fact that the posts of Laboratory assistant and 2nd Junior Hospital Surgeon have been filled up by two Madrassees?

(*c*) Is it a fact that two posts of Deputy Superintendent of Bengal Veterinary College, one 1st grade and one 3rd grade, have been kept vacant for a pretty long time? If so, what is the reason for the delay?

Answer by the Hon'ble MR. KERR :—

"(*a*) No.

(*b*) Yes.

(*c*) No post of 1st grade Deputy Superintendent has been kept vacant. A post of 3rd grade Deputy Superintendent was vacant from September, 1916, to July, 1917 ; the post was kept vacant while an Inspector was being trained and tested in teaching methods."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

'eaching work y the Principal f the Bengal 'eterinary College.

LII.—With reference to the answer given to my unstarred question No. 28 of the 3rd July, 1917, are the Government considering the desirability of making an inquiry as to how the present Principal of the Bengal Veterinary College is able to do teaching work without taking any classes or giving any lectures to the students as indicated in clause (*b*) of the above answer?

Answer by the Hon'ble MR. KERR :—

"The Principal makes frequent visits to the various classes and gives help and advice both to the teachers and to the students. The Governor in Council is satisfied that this is 'teaching work' of much value, and he does not propose to order any further inquiry."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Agricultural ocieties in Bakarganj.

LIII.—(*a*) How many agricultural credit societies were in existence in the district of Bakarganj in 1915-16 and 1916-17?

(*b*) How does the total membership of such societies in the district stand at present?

(*c*) Are the Government in a position to state how far such societies have succeeded in solving the difficulties of agricultural credit in the district since the outbreak of the war?

(*d*) Are the Government aware that the want of an agricultural credit society under police-station Bamna is keenly felt by the people of the locality concerned?

Answer by the Hon'ble MR. KERR :—

"(*a*) Eighty-four in 1915-16 and 114 in 1916-17.

(*b*) Accurate figures are not available pending receipt of annual statistics : the number is estimated at 4,000.

(*c*) Government are not aware that the difficulties of agricultural credit in Bakarganj which is a district with a comparatively small area under jute, have been materially affected by the War. Government are satisfied, however, that the societies have lightened the difficulties of their members ; unfortunately, less than 1 per cent. of the families of the district have as yet joined Co-operative Societies.

(*d*) Government are informed that the area of Bamna police-station has hitherto been found unsuitable for co-operation. If a desire for societies is manifested and is supported by local voluntary effort, an attempt will be made to organize societies in that area."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Railway between Dacca and Aricha.

LIV.—(*a*) With reference to the project stated to have been submitted to the Railway Board regarding a Railway between Dacca and Aricha will the Government be pleased to say what is the estimated total capital expenditure and probable recurring charges thereof?

(*b*) Has any estimate been made, either on behalf of Government or of any private party, of the probable passenger and goods traffic that the Railway might carry, and the earnings that may result therefrom? If so, what are the estimated profits thereof?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) The estimated cost of a meter gauge railway from Dacca to Aricha, 46 miles in length, arrived at after carrying out a reconnaissance survey in 1914-15 is Rs. 88¼ lakhs; this includes a sum of nearly Rs. 28½ lakhs for a bridge over the Dhalleshwary river. No provision is however made for a ferry at Aricha. The recurring charges have not been estimated.

(*b*) No specific estimate has been made of passengers and goods traffic, but it is stated in the Report on the Reconnaissance Survey that the line might pay 4 per cent. on the Capital Outlay."

By the Hon'ble DR. ABDULLA AL-MAMUN SUHRAWARDY :—

LV.—(*a*) Will the Government be pleased to state whether Mohsin scholarships for Muhammadan students are tenable in schools and colleges outside the Bengal Presidency? Mohsin scholarships.

(*b*) If so, will the Government be pleased to state the names of such schools and colleges and the number of scholarships tenable therein?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) and (*b*) There are 7 senior and 5 junior Mohsin scholarships in addition to 30 Mohsin fund stipends which come under the head of senior scholarships and 51 Mohsin fund stipends which come under the head of junior scholarships. No scholarship is assigned to any particular institution. With the approval of the Director of Public Instruction, senior scholarships may be held at any affiliated University College, which has been approved for the purpose by the Director of Public Instruction, and in the United Kingdom. With the approval of the Director of Public Instruction a junior scholarship may be held at any affiliated University College approved for the purpose by the Director of Public Instruction and at the Muhammadan Anglo-Oriental College, Aligarh."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

LVI.—(*a*) Will the Government be pleased to state the progress that has been made in the water-works improvement and drainage schemes of the Mymensingh Municipality? Water-works improvement a drainage schem of Mymensingl Municipality.

(*b*) Have the Government promised any financial help towards these two schemes? If so, on what conditions?

(*c*) Will the Government be pleased to state whether any additional taxation was imposed on and realised from the rate-payers of Mymensingh to finance any of these schemes? If there has been any such tax, will the Government be pleased to state what course it is proposed to follow, should any of the schemes be not taken in hand?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Sketch projects for the improvement of the Mymensingh water-works and for a drainage scheme at an estimated cost of Rs. 1,37,000 and Rs. 97 000, respectively, have been prepared. They were submitted to Government in December, 1916, with an application for administrative approval. In reply the Municipality was informed that no provision for a grant or loan by Government had been made in the budget for the year 1917-18 and that

the grant of assistance must be deferred until the restoration of more favourable financial conditions. On this account, and also because further information about the financial basis of the schemes was required, administrative approval was withheld, but the preparation of detailed plans and estimates was allowed.

(*b*) No.

(*c*) In March, 1916, the Municipal Commissioners raised the tax on persons from annas 12 to Re. 1 per cent. in anticipation of Government giving a grant and a loan for the drainage scheme. Government are not aware of the intentions of the Municipality as to the increased rates in the event of the schemes, or either of them, being abandoned, and they cannot therefore state what action they themselves will take in such a contingency."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Improvement of the sanitary and general conditions of Manikganj.

LVII.—(*a*) Is it true that Mr. L. Birley, while Magistrate of Dacca, submitted a report to the Commissioner of Dacca on the sanitary and general conditions of the subdivision of Manikganj suggesting certain measures for its improvement?

(*b*) Are the Government considering the desirability of publishing the said report?

(*c*) What action has, so far, been taken upon the said report?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes.

(*b*) A copy of the report has been laid on the Library table among the papers referred to in the answer to question No. 24 asked at the meeting of the Council on the 3rd July, 1917. Government do not propose to take further steps to publish the report.

(*c*) A reference will be made to local officers, as complete information is not in the possession of Government."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Expenditure on secondary education

LVIII.—Will the Government be pleased to state what amounts of money have been spent by the Government of Bengal, year by year, during the last five years upon secondary education, and what percentages of such amounts have been spent on buildings, inspecting staff and teachers, respectively?

Answer by the Hon'ble MR. HORNELL :—

"The tables published with the annual reports of the Director of Public Instruction contain all the available information. An attempt to give the figures for which the Hon'ble Member has asked would involve an amount of labour which would not be commensurate with the value of the statistics when they were compiled."

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By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

LX.—Will the Government be pleased to make a statement showing for each of the last five years the total expenditure on primary education under each of the following heads, and the proportion borne by each head to the total expenditure :—

Expenditure on primary education under certain heads.

(*a*) establishment of new schools,
(*b*) buildings and houses;
(*c*) improvement of schools already in existence; and
(*d*) inspection?

Answer by the Hon'ble MR. HORNELL :—

"The Hon'ble Member is referred to the reply given to a similar question asked by the Hon'ble Babu Akhil Chandra Datta at this meeting."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

LXI.—Will the Government be pleased to state whether they have in contemplation, or have decided on, any scheme of improving the channel to the port of Chittagong?

Scheme for improving channel leading to Chittagong port.

(*b*) If there is any such scheme, will the Government be pleased to state whether any other difficulty but that of finance is standing in the way of its being carried out?

(*c*) If the answer to clause (*b*) is in the negative, have the Government decided to take up the scheme as soon as funds are available?

(*d*) Will the Government be pleased to state the number of steamers that had to unload during the last three years before they could reach Chittagong, and the proportion of these arrivals to the total register of inward vessels at the port of Chittagong?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) Government have in contemplation, but have not decided on, any scheme for improving the channel to the port of Chittagong.

(*b*) and (*c*) The schemes which have been placed before Government include the provision of a new dredger and extensive training works. The question of the provision of funds for the purchase of the dredger is now before the Government of India, but in view of the present war conditions it is not possible to say when a suitable dredger will be procurable. At present, even if funds are placed at the disposal of the Port Commissioners, it is impossible to build a dredger. A sum of one lakh of rupees has been provided in the current year's budget of the Commissioners for the Port of Chittagong towards the cost of training works, but before these training works can be commenced the advice of Sir George Buchanan who is expected to visit Chittagong in September or October next is being sought.

(*d*) A statement containing the figures asked for will be placed on the Library table as soon as it is received from the Port Commissioners."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

LXII.—(*a*) Will the Government be pleased to state the names of Muhammadan proprietors whose estates are under management by the Court of Wards in Bengal?

Muhammadan proprietors whose estates are under the management of the Court of Wards.

(*b*) In the case of each estate referred to in question (*a*) above, will the Government be pleased to state—

(*i*) the total number of all officers carrying on the administration of each estate (such as *clerks*, *naibs*, *gomastas*, *tehsildars* and their subordinates), excluding menials such as *peons*, *peadas*, *mridhas*, *etc.*,

(*ii*) how many of each class of such officers are Muhammadans?

Answer by the Hon'ble MR. KERR :—

"A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. LXII (unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *showing the names of the Muhammadan proprietors whose estates are under the management of the Court of Wards and the total number of all officers carrying on the administration of each such estate (such as clerks naibs, gomastas tahsildars and their subordinates excluding menials such as peons, mirdhas, etc.) and also how many of each class of such officers are Muhammadans.*

Names of estates and proprietors.	Total number of all officers carrying on the administration of each estate (such as clerks, naibs, gomastas and their subordinates) excluding menials.	NUMBER OF MUHAMMADAN OFFICERS IN EACH CLASS OF SUCH OFFICES.							Total.
		Clerk	Circle officer.	Naib.	Gomasta	Tahsildar.	Muhurir.	Other subordinate	
1	2	3	4	5	6	7	8	9	10
Dacca.									
Estate of Nawab Habibulla and others, the heirs of Sir Khwaja Salimulla. Estate of Khwaja Atikulla ... Estate of heirs of Khwaja M. Ashruff. Estate of Amina Baru Khanum	371	3	..	1	...	17	23	1	45
Talipabad estate, proprietor Chowdhuri Kuzimuddin Ahmad Siddiqi.	10	1	...	...	...	...	...	...	1
Mymensingh.									
Karotiya estate, proprietors Maulvi Hyder Ali Khan Panu, Maulvi Jufar Ali Khan Panu and others.	87	5	...	2	...	...	2	...	9
Bakarganj.									
Khantakhali estate of the late Abdul Karim Choudhuri and others.	15	1	2	...	...	...	...	...	3
Dasmina estate of the late Abdul Hamid Talukdar.	5	...	1	...	...	...	...	...	1
Tippera.									
Kazi estate of Kazi Golam Muhiuddin.	14	...	...	...	...	1	2	...	3
Chittagong.									
Estate of the late Salamat Ali Khan.	21	...	1	...	...	3	...	...	4
Total ...	523	10	4	3	...	21	27	1	66

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURY :—

LXIII.—(*a*) Are the Government aware that in some of the Railway stations in Eastern Bengal no waiting-room is provided for Indian ladies?

Waiting-rooms Indian ladies in the Eastern Ben Railway stations

(*b*) Is it true that there is no proposal for providing waiting-rooms for Indian ladies at any station on the Mymensingh-Bhairabazar Railway line?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) Yes, but nearly half the stations have already got such accommodation and more will obtain it after the war.

(*b*) It is proposed to provide waiting-rooms for Indian ladies in at least five stations on the Mymensingh-Bhairabazar Railway.

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

LXIV.—Will the Government be pleased to lay on the table a statement showing separtely, for each estate—

Debts of Muhammadan estates under Court of Wards.

(*i*) the amount of debts to which the estates of Muhammadan proprietors in Bengal were liable at the time the Court of Wards took over management of such estates; and

(*ii*) the amount of their debts on the 31st March, 1917?

Answer by the Hon'ble MR. KERR :—

"A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. LXIV (unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *showing the amount of debts for which the estates of Muhammadan proprietors in Bengal were liable at the time when the Court of Wards took over management of such estates and the amount of their debts on the 31st March, 1917.*

NAME OF ESTATES.	Date of assumption of charge by the Court of Wards	Debts at the time of assumption of charge by the Court of Wards	Debts on 31st March, 1917
1	2	3	4
Dacca.		Rs	Rs
Estate of the late Nawab Sir Salimullah Bahadur's heirs.	10th September, 1907	16,25,000	14,32,485 *
Khwaja Atikulla	26th October, 1910.	9,07,082	8,15,201 *
Estates of the heirs of Khwaja Muhammad Ashruff.	28th October, 1908.	1,95,000	50,000 *
Estate of Amina Banu Khanum	16th January, 1909	Nil	Nil.
Estate of Choudhuri Kazimuddin Ahmed Siddiqi of Talipabad.	25th April, 1911	2,305	Nil.

* These figures relate to 31st March, 1916, and are the latest available.

NAME OF ESTATES.	Date of assumption of charge by the Court of Wards.	Debts at the time of assumption of charge by the Court of Wards.	Debts on 31st March 1917.
1	2	3	4
Mymensingh		Rs.	Rs.
Estate of Maulvi Hyder Ali Khan Pam and others of Karotiya	9th August, 1910, and 17th March, 1911.	2,71,437	1,82,768
Bakarganj.			
Dasmina estate of the late Abdul Hamid Talukdar and others.	22nd November, 1906	43,580	55,703
Tippera.			
Estate of Kazi Golam Mohiuddin	30th November 1911.	1,18,590	78,086
Chittagong.			
Estate of the late Salamat Ali Khan ...	7th April, 1909	64,701	17,033

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

al cases in
ilbaria Court.

LXV. -Will the Government be pleased to lay on the table a statement showing for the last five years—

(*i*) the total number of criminal cases (within the jurisdiction of each thana) disposed of by the Ulubaria Court, and

(*ii*) the number of civil cases instituted in the Amta and Ulubaria Courts?

Answer by the Hon'ble MR. KERR :—

"Statements giving the desired information so far as it is available are laid on the table. Thanawar figures of criminal cases other than Police cases are not available."

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. LXV (unstarred) asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *showing the total number of criminal cases disposed of in the Ulubaria subdivision during the five years 1912-1916.*

Year	Number of cases disposed of.
1912	1,256
1913	1,276
1914	1,057
1915	890
1916	756

Statement showing the number of Police cases disposed of in the Ulubaria subdivision, thana by thana, during the years 1912-1916 :—

Name of police station	1912	1913	1914	1915	1916
Ulubaria	39	22	45	55	14
Bowria	17	15	11	26	25
Begnan	33	18	18	38	24
Amta	28	31	30	43	49
Singti	11	7	5	19	16
Shampur	12	18	12	39	23
Mondalghat	4	6	4	11	9

Number of civil cases instituted in the Courts at Ulubaria and Amta in the district of Hooghly (Howrah) during the five years 1912-1916 :—

Year	Ulubaria Munsifi	Amta Munsifi
1912	4,090	2,243
1913	4,088	2,123
1914	3,980	2,726
1915	4,139	2,842
1916	4,660	2,694

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

LXVI.—(*a*) What was the date of the establishment of the Comilla Yusuf School? If Government are in a position to do so, will they make a statement regarding the normal income and expenditure of the school and the amount of its accumulated funds?

Donation to Comilla Yusuf School.

(*b*) Are the Government aware that the Inspector of Schools of the Chittagong Division offered both a monthly aid and a donation to the same school? If so, what was the object in view for such an offer?

Answer by the Hon'ble MR. HORNELL :—

"The Comilla Yusuf School was established as a High School in 1899. The average monthly income is Rs. 985 and the average monthly expenditure is Rs. 936. The amount of the accumulated fund standing to the credit of the school is reported to be Rs. 480.

(*b*) Government have ascertained that the Inspector of Schools, Chittagong Division, is now in correspondence with the School Committee on the question whether a monthly grant-in-aid and a capital grant towards the construction of the new buildings cannot be provided. The object of any grant which may be sanctioned will be the improvement of the school."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

LXVII.—(*a*) Are the Government aware that the Inspector of Schools of the Chittagong Division insists upon the managing committees of private unaided schools within the Chittagong Division taking his nominees as members of the committee and as president of the same?

Nomination of members of managing committees of private unaided schools.

(*b*) Are the Government aware that this interference is resented by the school authorities?

(*c*) Are the Government considering the desirability of putting a stop to this interference?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) No.

(*b*) and (*c*) These questions do not arise."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Constitution of the Sanskrit Examination Board.

LXVIII.—(*a*) Will the Government be pleased to explain the principle underlying the present constitution of the Sanskrit Examination Board?

(*b*) Are the different branches and interests of Sanskrit learning and culture in Bengal represented on the Board as at present constituted? If so, how?

(*c*) Is there any learned Pandit of North Bengal on the said Board? If not, why not?

(*d*) Is it a fact that the President of the Board is also the President of the Sanskrit College Committee and the Secretary to the Board is the Principal of the Sanskrit College?

(*e*) Is it a fact that the conduct of the examination is practically in the hands of those two members and their subordinate staff in the Sanskrit College?

(*f*) Are the Government aware of any public dissatisfaction regarding the constitution of the present Board and the way in which the Sanskrit examinations are managed and conducted?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) The principle underlying the present constitution of the Sanskrit Board is :—

(1) the representation of the interests of the different branches of Sanskrit learning;

(2) the representation of the interests of indigenous Sanskrit education in its relation to Sanskrit general education;

(3) the representation of the interests of indigenous Sanskrit education in the various districts of the Presidency.

(*b*) Yes, so far as possible. A copy of Notification No. 450, dated 14th July, 1917, in which the Board was last constituted is laid on the table.

(*c*) Yes. The Hon'ble Member is referred to the abovementioned notification.

(*d*) Yes.

(*e*) No. The paper setters and paper examiners are appointed by the Board and the persons so appointed include pundits from all parts of Bengal. After the results have been sent in by the examiners, the examiners meet and report to the Board who declare the results. The staff of the Sanskrit College has no special functions with regard to the conduct of the examination.

(*f*) Certain comments have been received from time to time. These have been investigated and found to be unsubstantial. Government have under consideration the reorganization of the agency for dealing with Sanskrit examinations."

Notification referred to in the answer by the Hon'ble MR. HORNELL *to question No. LXVIII (unstarred) asked by the Hon'ble* BABU BROJENDRA KISHORE RAY CHAUDHURI :—

No. 450T.—Edn.—The 14th July, 1917.—It is hereby notified that the Sanskrit Examination Board, constituted under General Department Resolution No. 1073T.—G., dated the 19th June, 1908, has been reconstituted for six months, with effect

Calcutta.

from the 19th June, 1917, with the existing President, Secretary and members as shown below :—

(1) The Hon'ble Justice Sir Ashutosh Mukharji, KT., C.S.I.,	*President.*
(2) Mr. W. C. Wordsworth, M.A.	*Members.*
(3) Mahamahopadhyaya Kaliprasanna Bhattacharyya, M.A. (Barisal).	*Members.*
(4) " Sibchandra Sarbabhauma (Bhatpara).	*Members.*
(5) " Kamakshya Nath Tarkabagisha (Nadia).	*Members.*
(6) Pandit Ras Mohan Vidyaratna (Dacca)	*Members.*
(7) Rai Rajendra Chandra Sastri Bahadur (Calcutta) ...	*Members.*
(8) The Principal of the Sanskrit College	*Ex-officio Secretary.*

L. S. S. O'MALLEY,
Secy. to the Govt. of Bengal.

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

LXIX.—Will the Government be pleased to state what steps are being taken to improve the pay and status of teachers in Bengal? Status of the teaching profession.

Answer by the Hon'ble MR. HORNELL :—

"Since 1914 the Government have effected the following improvements :—

(*a*) the salaries of untrained and trained teachers of aided primary schools and *maktabs* for boys have been increased by Re. 1 and Rs. 4 respectively at a total annual cost of Rs. 5,68,972 ;

(*b*) the sum of Rs. 1½ lakhs is distributed annually for the enhancement of the salaries of the teachers in aided high and middle English schools ;

(*c*) pending the introduction of a general scheme for the improvement of secondary education, local allowances have been granted, as a temporary measure, to Head Masters and Head Mistresses of Government high, middle English, and middle Vernacular schools and also to Assistant Head Masters and Assistant Head Mistresses of Government high schools, at a total annual cost of Rs. 33,120 ;

(*d*) the stipends of teachers of primary schools while under training in guru-training schools have been raised to Rs. 10 per mensem, at an annual cost of Rs. 77,360.

The Government of Bengal hope to effect further improvements if their proposals for the utilization of the grant of nine lakhs are accepted by the Government of India."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

LXX.—(*a*) Will the Government be pleased to state what are the duties of the Proctor of Dacca, and the monthly expenditure on this officer's establishment, including his own pay? Proctor of Dacca and his establishment.

(*b*) Is it a fact that conflicts in opinion have often arisen between the heads of educational institutions in Dacca and this officer?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) The Proctor is the Executive officer of the Dacca City Educational Council which is the authority responsible for the general control of the residence of students for the maintenance of discipline among those living in the town of Dacca outside school and college premises. His duties are of a two-fold character. In the first place he assists in matters such as the selection and equipment of houses, the appointment of superintendents of messes, the provision of servants, medical aid, etc. In this capacity also he advises students on arriving in Dacca as to the best arrangements for their accommodation. His other functions are those of an inspecting officer. It is his duty to see that hostels are well kept, that rules are observed and that the well-being of the students is promoted and discipline is maintained. In the case of messes recognized and subsidised by the Council he is in the position of the Principal or Head Master for the enforcement of the hostel and mess rules. The cost of the post and of its establishment is Rs. 383-8 a month.

(*b*) Not so far as Government are aware."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Schools and Training Academies.

LXXI.—Will the Government be pleased to lay on the table a statement showing the staff of the two Training Colleges with all their academic distinctions and practical teaching experience in secondary schools before their appointment on the staff?

Answer by the Hon'ble MR. HORNELL :—

"A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. HORNELL *to question No. LXXI (unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *of the present tutorial staff of the David Hare and the Dacca Training Colleges showing the academic distinctions, etc., of the Members.*

Serial No.	NAME.	Designation	Academic distinctions.	Practical experience in teaching in Secondary schools before appointment on the staff.	REMARKS.
1	2	3	4	5	6
	I.—David Hare Training College.				
1	Babu Chinta Haran Chakravarty.	Offg. Principal.	M.A., B.T. (Calcutta)	Served as Head Master, Muzaffarpur Zila School.	Offg. in place of Mr. Griffith, on deputation as Inspector of Schools, Burdwan Division. Mr. Griffith, however, exercises a general supervision over the David Hare Training College.
2	Babu Benoy Bhusan Sarkar.	Offg. Professor.	B.A., B.T. (Calcutta)	Served as Assistant Head Master, Calcutta Training School.	Offg. in place of Mr. Mercer, on deputation as Inspector of European Schools, Bengal.
3	Babu Basanta Kumar Ghosh.	Ditto ...	M.A., B.T. (Calcutta)	Served as an Assistant Master, Hooghly Collegiate School.	Offg. in place of Babu Chinta Haran Chakravarty, on deputation.

Serial No	Name.	Designation.	Academic distinctions	Practical experience in teaching in Secondary schools before appointment on the staff.	REMARKS.
1	2	3	4	5	6
	I.—David Hare Training College —concluded				
4	Babu Bana Bilas Roy	Additional Professor.	M.A., B.T. (Calcutta)	Served as an Assistant Master, Ranchi Zila School	
5	Babu Purna Chandra Ghosh	Drawing Master.	Certificate holder from Government School of Art, Calcutta.	Nil	
	II.—Dacca Training College.				
1	Mr. H. A. Stark	Offg. Principal.	B.A. (Calcutta) ...	Served as Head Master, Anglo Persian Department, Calcutta Madrassa	Offg. in place of Mr. Biss, on deputation
2	Babu Monoranjan Mitra	Offg. Vice Principal	B.A. (B Course) 2nd class Honours in English, B.T. (Class I)	Nil ...	Offg. in place of Mr. West, on deputation
3	Babu Nagendra Nath Mazumdar	Offg. Professor	M.A. (Mathematics, Class III), B.T. (Class I).	Served in the Dacca and the Rangpur Normal Schools	Offg. in place of Babu Monoranjan Mitra, on deputation.
4	Maulvi Abdur Rahaman Khan	Professor	M.A. (Mathematics, Class I); B.T. (Class I).	Nil	
5	Babu Jogesh Chandra Datta	Offg. Lecturer	M.A. (History, Class III), B.T.	Served as an Assistant Master, Noakhali Zila School	Sub *pro tem.*
6	Babu Aswini Kumar Dutta.	Lecturer	M.Sc. (Physical Chemistry, Class II), B.T. (Class II)	Nil	
7	Babu Panna Lal Gupta	Drill Master	Read up to Entrance Standard	Served as Drill Master, Barisal Zila School, specially trained under Dr. Gray at Calcutta.	
8	Babu Sarat Chandra Chatterji.	Drawing Master.	Passed Final Examination of Government School of Art, Calcutta.	Nil.	

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

LXXII.—(*a*) Will the Government be pleased to state whether any idols and other emblems sacred to the Hindus have been acquired by the Government under the exercise of the powers under the Treasure Trove Act, during the last ten years in Bengal?

(*b*) If so, what is their number; what were the circumstances in which they were so acquired; and how have they been disposed of?

Number of idols etc., acquired by Government under the Treasure Trove Act.

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes.

(*b*) Four.

Three male image-stands with figures of Hindu deities which were unearthed by a Santal while ploughing his field in 1910, were acquired by Government under the Treasure Trove Act and presented to the Indian Museum at Calcutta. A stone image of a Hindu deity, which was found at the bottom of a tank in the Rangpur district, was also acquired by Government and presented to the Dacca Museum in 1917."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Appointment of committee to consider amendment of Local Self-Government Act and Village Self-Government Bill.

LXXIII.—(a) Is it a fact that, at a meeting of the Bihar and Orissa Legislative Council held in March last, the Local Government accepted a resolution recommending the appointment of a mixed committee of official and non-official members to decide on what lines improvements may be made in the Local Self-Government Act and what new powers may be given to local bodies to stimulate organised efforts to meet local needs, and to improve local conditions?

(b) Are the Government considering the desirability of appointing a similar committee in Bengal before undertaking any amendment of the Local Self-Government Act or before introducing the Village Self-Government Bill?

Answer by the Hon'ble MR. DONALD :—

"(a) Yes.

(b) Government do not propose to appoint such a committee before the introduction of the Village Self-Government Bill. Government do not propose to undertake the amendment of the Local Self-Government Act at present and the question therefore does not arise."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Suggested conference for considering questions relating to local administration and local self-government.

LXXIV.—(a) Have the Government any information regarding the Madras Local and Municipal Conference consisting of representatives of Municipal Councils and District Boards and Taluk Boards from the different districts, which held its first sitting in March last under the auspices of Government?

(b) Are the Government aware that the Conference, which will meet periodically, has for its expressed objects, the focussing of public opinion on important questions relating to local administration and the elucidation of questions regarding local self-government?

(c) Are the Government considering the desirability of ascertaining particulars about the Conference, with a view to holding a similar Conference in Bengal under the auspices of Government?

Answer by the Hon'ble MR. DONALD :—

"(a) No.

(b) No.

(c) Enquiries will be made."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Ravages of cholera in Bengal.

LXXV.—(a) Are the Government in a position to make a statement regarding the ravages of cholera during the last dry season in Bengal?

(b) How many itinerant dispensaries or medical officers, if any, worked in rural areas during the last season for the treatment of cholera and any other diseases and what areas were visited by them?

Answer by the Hon'ble MR. DONALD :—

"(a) A statement showing the number of deaths from cholera in each district from January to May, 1917, is laid on the table. For the preceding months the Hon'ble Member is referred to the Report on Sanitation for the year 1916, a copy of which has been sent to him, while another copy has been laid on the Library table.

(b) A statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR DONALD *to question No. LXXV (unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI.

I.

Deaths from cholera, January to May, 1917

DISTRICT.	January.	February.	March.	April.	May.
1	2	3	4	5	6
Burdwan	141	15	148	119	10
Birbhum	62	34	42	8	1
Bankura	95	14	11	19	26
Midnapore	369	370	705	817	195
Hooghly	225	62	78	71	113
Howrah	176	179	289	367	180
Total of Burdwan Division ...	1,068	674	1,273	1,431	855
24-Parganas	754	434	593	514	436
Calcutta	57	56	71	177	181
Nadia	48	5	7	22	11
Murshidabad	90	70	22	1	...
Jessore	338	78	183	311	21
Khulna	317	55	160	274	272
Total of Presidency Division ...	1,604	698	1,036	1,302	921
Rajshahi	205	149	20	33	119
Dinajpur	118	24	23	15	221
Jalpaiguri	9	...	16	31	27
Darjeeling	...	...	31	11	...
Rangpur	114	33	41	123	62
Bogra	45	3	11	25	11
Pabna	52	36	65	230	191
Malda	80	...	...	1	...
Total of Rajshahi Division ...	623	245	207	532	637
Dacca	487	262	535	979	170
Mymensingh	593	256	344	698	400
Faridpur	318	83	281	440	101
Bakarganj	180	130	409	570	172
Total of Dacca Division ...	1,578	731	1,569	2,687	846
Chittagong	5	1	5	9	19
Noakhali	31	31	45	92	22
Tippera	312	604	572	461	48
Total of Chittagong Division ...	348	636	622	562	89
Total of Bengal ...	5,221	2,984	4,707	6,514	3,351

II.

Action taken by the District Boards for the treatment of Cholera and other epidemic diseases in 1916.

District	Action taken in thanas, etc
Burdwan	Nine malaria doctors were employed, each attached to a temporary fever dispensary at Panchra, Srikhanda, Choughuria, Palla, Bonhir, Gogla, Sunuria, Keshabpur and to the Bhagirathi floating dispensary. Five cholera doctors were also employed in different parts of the district.
Birbhum	Twelve anti-malarial and four cholera doctors were employed. The former worked in thana Moureswar and the villages of Arali, Nandigram, Paikar, Kaddia, Narainpur, Sahapur, Dwarka, Ghurisa and Bilati; the latter in the villages of Karidha, Panchra, Koitha and other villages near Rampurhat.
Bankura	Seven cholera and malaria doctors were employed in thanas Khatra and Raipur and in outposts Ranibandh, Indpur, Chatna, Saltora and Mejhia.
Midnapore	Two Sanitary Inspectors and six cholera doctors treated cholera cases in thanas Sabong, Sutahata, Tamluk, Binpur, Debra, Naraingarh, Khajri, Keshpur, Daton, Garbehta, Kharagpur, Nandigram, Gopiballavpur, Ramnagar, Egra, Patashpur and Mahisadal; in outposts Pingla, Ramjibanpur, Mohanpur, Mayna and Henria; and in the village of Chagwanpur.
Hooghly	Three peripatetic Sub-Assistant Surgeons moved about the district and attended cases of malaria and cholera in *hats* and important outlying villages.
Howrah	No special doctors for malaria or cholera were employed during 1916-17.
24-Parganas	No cholera or malaria doctors were employed.
Nadia	Five cholera doctors worked in thanas Kaliganj, Alamdanga, Kishenganj, Damurhuda, Mirpur, Daulatpur, Gangni and Kotwali; and in the Chapra outpost. Five malaria doctors were employed in January.
Murshidabad	No cholera or malaria doctors were employed.
Jessore	Four temporary cholera doctors, besides the District Board reserve doctors, worked in thanas Bangaon, Lohagara, Muhammadpur, Salkopa, Kaliganj, Manirampur, Keshabpur, Magura, Salikhiya, Gaighata; and outposts Harinakundu and Kalia.
Khulna	Altogether five doctors were employed for cholera and malaria epidemics from January to May. Three worked in thanas Kalaroa, Paikgacha, Asasuni and Kaliganj; outposts Tala and Shyamnagar; and the villages of Khesra, Kumira, Khaliskhali, Esmalkali, Mamudkati and Haridhali. There was one permanent doctor in Dacope outpost, Asasuni thana and the villages of Barnapara, Rajpat, Nadanprotap, Kamarganti, Nehalpur, Khaliskhali and Protapnagar; and another at Moubhon and Raghunathpur villages.
Rajshahi	Three doctors were employed for cholera and malaria duty, one working in each subdivision of the district.
Dinajpur	The Medical officers of the District Board dispensaries treated cholera cases in the Patnitola, Parsa and Gangarampur thanas.
Jalpaiguri	One doctor was employed for cholera and small-pox epidemics.
Darjeeling	No cholera or malaria doctor was employed.
Rangpur	Five cholera and malaria doctors were employed; they visited five villages in Fulchari outpost, six in Nageswari thana; twenty in Govindganj thana, sixteen in Sadullapur outpost, eleven in Polashari outpost, thirteen in Gaibandha thana, three in Saidpur outpost and thirty-one in Nilphamari thana.

District	Action taken in thanas, etc
Bogra	Two travelling doctors were employed to attend cholera outbreaks in thanas Adamdighi and Shibganj.
Pabna	The Board has one epidemic doctor who worked when epidemics broke out. No extra cholera or malaria doctor was employed.
Malda	No cholera or malaria doctors were employed. The Board's Sanitary Inspector and itinerant doctor did any work required.
Dacca	A reserve doctor entertained by the District Board dealt with cholera outbreaks in Narsingdi, Rupganj, Serajdikhan, Raipura, Joydebpur, Monshardi and Kapasia police-stations and Munshiganj subdivision. In Kapasia thana one extra doctor was employed. No doctor was deputed for outbreaks of malaria.
Mymensingh	The Board deputed nine doctors, two compounders and one Sanitary Inspector for cholera in thanas Kishoreganj, Bodla, Bhairab, Katiadi, Netrokona, Kendua, Gaffargaon, Nandail, Iswarganj, Sarisabari, Tangail, Kalihati, Nagarpur and Dewanganj and outposts Bhaluka, Islampur, Basail and Kotwali and one for malaria in Haluaghat outpost.
Faridpur	The Board's supernumerary doctor was deputed on cholera duty in thana Bhusna, outpost Rajoir, and the villages of Vidarganj and Makrail.
Bakarganj	One doctor and five compounders attached to the Board's dispensaries in thanas Berhanuddin, Mehendiganj, Gaurnadi, Pirojpur, Matbaria and Galachipa dealt with cholera and one supernumerary doctor in thana Mehendiganj with malaria.
Chittagong	No cholera or malaria doctors were employed.
Noakhali	Ten cholera doctors were engaged in thanas Begamganj, Ramganj and Lakhipur and Raipur outpost (one each), Feni thana (four) and Chagalnaya thana (two).
Tippera	Five cholera doctors were employed in the Brahmanbaria subdivision and thanas Chaudagram, Hajiganj, Laksham, Matlab and Chandina and outposts Burichang and Kotwali; and one malaria doctor in village Srimantapur, thana Chandina.
Chittagong Hill tracts ...	No cholera and malaria doctors were employed.

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

LXXVI. (*a*) Will the Government be pleased to state whether it is insisted on by the Civil Courts in Mymensingh that fresh Vakalatnama and certified copies of both the decree and the plaint should be submitted by any party applying for the execution of a decree?

Practice of submitting vakalatnama and certified copies of decree and plaint in execution case before Civil Courts in Mymensingh.

(*b*) Are the Government aware of the opinion that has been expressed that this practice is against the ruling of the High Court and that it involves the litigants in additional expenditure of money?

(*c*) Are the Government considering the desirability of putting a stop to this practice?

Answer by the Hon'ble MR. KERR :—

"Government have no information on the subject. The control of the Courts in regard to matters of this kind rests with the High Court."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

LXXVII.—(*a*) Will the Government be pleased to state the reasons for the discontinuance of the Government aid of Rs. 150 per month to the Brahmanbaria George School?

Grant to the Brahmanbaria George School.

(*b*) Is it a fact that an aid of Rs. 150 was offered by the Divisional Inspector of the Chittagong Division to the Kasba High English School with the condition that Babu Sashi Kumar Bal should be appointed as Head Master, and that the school authorities declined to avail themselves of the aid unless their old Head Master was allowed to stay on?

(*c*) Is it a fact that thereafter the same offer was made by the said Divisional Inspector and on the same condition to the Edward Institution, Brahmanbaria, whose proprietor also declined the offer on the same ground?

(*d*) Is it a fact that thereafter the said Divisional Inspector asked the Chiora High English School, in the district of Tippera, to take in the said Babu Sashi Kumar Bal as their Head Master, and that accordingly he has been appointed as Head Master of the said High English School?

(*e*) Will the Government be pleased to state whether any aid was offered by the said Divisional Inspector to this last-mentioned school?

Answer by the Hon'ble MR. HORNELL :—

"Government have not got full information on the subject, and inquiries will be made."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Decline in the number of students in the Overseer and Sub-Overseer classes in the Ashanulla School of Engineering, Dacca.

LXXVIII.—(*a*) Is it a fact that the number of students in the Overseer and Sub-Overseer classes in the Ashanulla School of Engineering, Dacca, has been gradually declining? If so, what is the cause of this decline?

(*b*) Is it a fact that the majority of the students who have passed the Upper Subordinate examination from the above school remain unemployed?

(*c*) How many of these students have found employment in the Upper Subordinate grade under the Public Works Department?

(*d*) How many guaranteed posts, if any, are there for students passing the Upper Subordinate examinations from the Sibpur College and the Ashanulla School of Engineering, respectively?

(*e*) Is it a fact that Overseer and Sub-Overseer examinations of the above two institutions are held under the Joint Technical Board and that the questions are the same, but the results of the above examinations are published separately and not according to the merits of the students of the two institutions taken together?

(*f*) Is it a fact that, in the distribution of appointments under the Government and Local Bodies, preference is usually given to students passing from the Sibpur College?

(*g*) Is it a fact that the Ashanulla School of Engineering has been placed under the direct supervision of the Principal, Dacca College? If so, why?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) Yes. The decline in the number of students in Overseers' and Sub-Overseers' classes is not confined to the Dacca School of Engineering, but appears to be general. Government have not at hand a full explanation of the cause of this decline, which is part of the general problem of technical and industrial education.

(*b*) It is reported that the majority of students who have passed the Upper Subordinate examination obtain employment, but mostly in posts of lower qualification and pay.

(*c*) Ten of these students are reported to have found employment in the Upper Subordinate grade under the Public Works Department.

(*d*) Sibpur College ... One.

Ashanulla School of Engineering ... None.

(*e*) Yes.

(*f*) No.

(*g*) The School of Engineering is regarded as an institution attached to the Dacca College, as the two institutions are in the same compound. This arrangement appears to have been in force since the school was founded."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Local taxation by Union Committees in Dacca Division.

LXXIX.—(*a*) Will the Government be pleased to state the amount of local taxation imposed by each of the Union Committees in the Dacca Division?

(*b*) Were the Union Committees in the Dacca Division authorised to spend any money on primary education?

(*c*) If the answer to clause (*b*) is in the negative, are the Government considering the desirability of issuing instructions to the effect that the Union Committees should take up the question of primary education in their respective areas as allowed under the Bengal Local Self-Government Act?

Answer by the Hon'ble MR. DONALD :—

"(*a*) A statement is laid on the table.

(*b*) The powers of Union Committees in regard to primary schools are defined in sections 104 and 112 of the Local Self-Government Act, which should be read with section 62 of the Act and the rules made thereunder. So far as Government are aware, the District Boards of the Dacca Division have not made special grants to the Union Committees for expenditure on primary education.

(*c*) The position of Union Committees in regard to primary schools was discussed by the Commissioners' Conference in 1915, and it was agreed that each District Board should be allowed to delegate such powers as it might think fit to Union Committees under its control. It was therefore proposed that a rule should be issued giving the Boards discretion to entrust Union Committees with powers in regard to primary education. The educational rules under the Local Self-Government Act are now under revision."

Statement referred to in the answer by the Hon'ble MR. DONALD *to question No. LXXIX (unstarred) asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *showing the local taxation imposed by Union Committees in the Dacca Division in 1916-17.*

Dacca District.

	Name of Union		Receipts under section 118 of the Local Self-Government Act		Name of Union		Receipts under section 118 of the Local Self-Government Act
			Rs.				Rs.
1.	Nawabganj	...	300	24.	Rajanagar Saidpur	...	...
2.	Subhadya	...	370	25.	Rasunia	...	...
3.	Kalatia	...	215	26.	Ichapura	...	150
4.	Teghoria ...	...	300	27.	Hashara	...	...
5.	Kaliganj	...	325	28.	Birtara	...	73
6.	Jinardi	..	186	29.	Solaghar	...	300
7.	Dhamrai	...	...	30.	Srinagar	...	176
8.	Tetuljhora	...	150	31.	Syamsidhi	...	...
9.	Sripur	...	40	32.	Bhagyakul	...	...
10.	Fatulla	...	61	33.	Haldia	...	...
11.	Aminpur	...	...	34.	Hashail	...	405
12.	Pachdona	...	...	35.	Baherak	...	458
13.	Moheshpur	...	204	36.	Char Silai	...	...
14.	Labutolla	...	...	37.	Manikganj	...	1,500
15.	Munshiganj	...	281	38.	Saturia	...	324
16.	Mirkadim	...	361	39.	Garpara	...	400
17.	Bajrajogini	...	...	40.	Baira	...	200
18.	Betka ...	...	154	41.	Hatipara	...	231
19.	Abdullapur	...	225	42.	Balla	...	...
20.	Outshahi	...	279				
21.	Kalma	...	...		Total	...	7,668
22.	Dhipur	...	...				
23.	Sekharnagar	...	...				

Faridpur District.

43.	Rajbari	...	371	49.	Jamalpur	...	...
44.	Pangsa	...	...	50.	Dakhinbari	...	...
45.	Bhanga	...	...	51.	Megna	...	...
46.	Palong	...	...				
47.	Sibchar	...	...		Total	...	371
48.	Rajoir	...	...				

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Payment of pensions in Dacca.

LXXX.—(*a*) Is it a fact that the Collector of Dacca has issued a notice to Government pensioners dividing them into four classes and specifying different dates ranging from the 4th to the 27th day of every month for the submission of their pension bills?

(*b*) What are the circumstances that have led to the issue of this circular?

(*c*) What was the previous practice and what were its drawbacks, if any?

(*d*) Has any complaint been made that the new scheme works to the inconvenience of the pensioners concerned?

(*e*) Has any necessity been felt for a similar departure from previous practice in any other Collectorate?

Answer by the Hon'ble MR. DONALD :—

"(*a*) A notice has been issued informing persons drawing pensions from the Dacca Treasury that they are divided into four classes for the purpose of payment, and that two days are allotted to each class between the 4th and 11th, inclusive, of each month, on which payments will be made: further, that a pensioner who does not draw his pension on any of the two days allotted to his class can draw it on any day between the 12th and 27th of each month irrespective of class.

(*b*) and (*c*) Before the system of classification came into force, no special arrangements were made. There are about 1,400 pensioners paid from the Dacca Treasury and the number of bills presented at the Treasury during the first three days of the month was so large that it was not possible to pay them on these days. There was considerable overcrowding, some pensioners had to go away without payment, and others were kept waiting for hours. An arrangement similar to the one in force in the Accountant-General, Bengal's office was accordingly adopted.

(*d*) Two objections signed by eight pensioners were presented.

(*e*) No."

By the Hon'ble MAULVI ABUL KASEM :—

Closing of offices and Courts at Suri

LXXXI.—(*a*) Is it a fact that the offices and Courts at Suri, Birbhum, were closed on the following occasions :—

(*i*) Joydeb Mela,
(*ii*) Bakeshwar Mela,
(*iii*) Rath Jatra,
(*iv*) Bhatri Ditia,
(*v*) Gostha Astamai,
(*vi*) Mukhtar's Kali Puja, and
(*vii*) Suri Cattle Show.

(*b*) Is it a fact that these holidays were sanctioned by Government on the recommendation of the Collector of Birbhum?

(*c*) Will the Government be pleased to state what is the distance between Suri and the places where the Joydeb Mela and the Bakeshwar Mela are held?

(*d*) Will the Government be pleased to state on what date the Mukhtar's Kali Puja was celebrated?

Answer by the Hon'ble MR. DONALD :—

"(*a*) The Criminal and Revenue courts and offices at Suri were closed on all the occasions mentioned with the exception of the Mukhtars' Kali Puja. The Civil courts and offices were closed only on the occasion of the Bakeshwar mela, Rath Jatra and Bhatriditya.

(*b*) Yes.

(*c*) Twenty-four miles and 42 miles, respectively.

(*d*) The 14th April, 1917."

By the Hon'ble MAULVI ABUL KASEM :—

LXXXII.—(*a*) Is it a fact that the Muhammadan employees of the Collector's office in the district of Birbhum applied, on the 1st June last, for leave of absence on the 5th of that month, which was the day of the Muhammadan festival *Shâbi-barat*? **Alleged refusal of leave to Muhammadans on the *Shabi barat*.**

(*b*) Is it a fact that the office Superintendent in his note said that the office being open the absence of the Muhammadans would cause the office work to suffer?

(*c*) Is it a fact that the Muhammadans were refused leave and had to attend their offices on the day of the *Shabi barat*?

(*d*) Is it a fact that the Muhammadans were asked to attend office on that day from 6-30 to 10-30 while the usual office hours are from 6-30 to 11 A.M.?

(*e*) Has the order passed by the Collector of Birbhum on the petition of the Muhammadans for leave, the approval of Government?

(*f*) Is there any truth in the statement that the Collector of Birbhum has always refused applications from Muhammadans for leave on the days of their festivals whenever his permission for such absence was necessary?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes.

(*b*) Government are not prepared to answer a question which appears to be based on information obtained in contravention of the Government Servants' Conduct Rules, which forbid the communication to non-official persons of official documents or information.

(*c*) Yes.

(*d*) The office was open from 6-30 to 11-30 in the morning on the 5th June, 1917, and Muhammadan employees were allowed to leave office at 10-30 A.M. on that day.

(*e*) The matter is still under the consideration of Government.

(*f*) No."

By the Hon'ble MAULVI A. K. FAZL-UL HAQ :—

LXXXIII.—(*a*) When was the Subordinate Educational Service organised? With how many grades and what values? With whom did the final sanction of the Subordinate Educational Service cadre rest? **Subordinate Educational Service.**

(*b*) Will the Government be pleased to lay on the table a copy of the Director of Public Instruction's Circular No. $\frac{5A}{7P\ 25\ 16}$?

(*c*) Will the Government be pleased to state whether similar artificial restrictions of promotions have ever been imposed on officers in any other graded service?

(*d*) Will the Government be pleased to state whether promotions in any other graded service are determined by the nature of certain classes of posts only in the service or by the seniority and efficiency of officers in the several posts in which they are employed by the department?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) The Subordinate Educational Service in its present form was organized in 1897. It consists of the following classes. The value of the appointments in each class is noted below :—

	Rs.		Rs
Class I ...	... 250	Class V	... 100
,, II ...	... 200	,, VI	.. 75
,, III ...	... 150	,, VII	.. 60
,, IV ...	... 125	,, VIII	... 50

The final sanction of the above cadre rested with Her Majesty's Secretary of State for India. Previous to this reorganization there was a cadre

entitled the Subordinate Educational Service. This cadre was developed into the present Provincial Educational Service and Subordinate Educational Service in the year 1897.

(*b*) A copy of the circular is laid on the table.

(*c*) and (*d*) No similar orders are now in force for any other graded service."

Circular referred to in the answer by the HON'BLE MR. HORNELL *to clause* (*b*) *of Question LXXXIII* (*unstarred*) *asked by the* HON'BLE MAULVI A. K. FAZL-UL-HAQ.

No. $\frac{5A.}{7P-25-16}$, dated Calcutta, the 9th January 1917.

From—THE HON'BLE MR. W. W. HORNELL, M.A., Director of Public Instruction, Bengal,

To—The Secretary to the Government of Bengal, General Department.

I HAVE the honour to address Government on the subject of the desirability of defining the prospects of promotion of the various classes of officers in the Subordinate Educational Service.

2. The only authoritative ruling in this regard is that contained in paragraph 8 of Government Resolution No. 1281, dated the 30th March, 1897, on the subject of the reorganization of the Subordinate Educational Service, in which the following principles were laid down :—

(1) Promotion from class to class will not be determined by seniority alone. Seniority is only one of the conditions which render an officer eligible for promotion. Efficient service in the posts hitherto held, the nature of the appointments in which officers are serving, the capacity to fill posts of higher responsibility and other determining factors of equal importance are to be considered as well as seniority.

(2) The promotion of an officer to a post of greater responsibility will not necessarily imply promotion to a higher class on high pay. An officer's selection for a post of greater responsibility will be an indication of his fitness for promotion at some future time, and in this way he will indirectly be a gainer.

3. Experience shows that it is difficult to follow these principles without leaving ground for complaint. The Subordinate Educational Service is composed of heterogeneous elements—men possessing different qualifications and doing different kinds of work. It is therefore difficult to balance their claims at the time of promotion. So long as the terms of their service are not clearly defined, each officer expects to rise to the highest grade and when promotion is refused to any one, who does good work in his own sphere, although the character of his duties does not entitle him to higher remuneration, he considers that he has a grievance. It therefore seems worth while making a definite pronouncement about what prospects each class of officers can reasonably expect.

4. Accordingly, I submit the following proposals for the consideration and orders of Government. It is deemed necessary to obtain the orders of Government in the matter in spite of the fact that the Director of Public Instruction is under existing orders competent to make or refuse promotions in individual cases throughout the Subordinate Educational Service, because the present proposals involve the practical alteration of the terms of service of the officers concerned.

5. I think promotions to classes I and II should be open only to a few classes of officers performing very responsible duties. I have carefully considered the cases of all officers in the Subordinate Educational Service and am of opinion that only the following officers should be eligible for promotion to classes I and II :—

(1) Lecturers (including Lecturers of the Oriental Department of the Sanskrit College).

(2) Demonstrators.

(3) Head Masters and Head Mistresses of Government High Schools.

(4) District Deputy Inspectors of Schools (including the Deputy Inspector of Schools, Calcutta).
(5) Superintendents of Technical Schools and the Assistant Head Master, Dacca School of Engineering.
(6) Foremen Instructors, who are ordinarily appointed to class II.
(7) Two senior teachers of each of the European schools, who can temporarily be entrusted with the duties of the Head Master and the Head Mistress.
(8) The Librarian, Presidency College.
(9) Deputy Keeper, Art Section of the Indian Museum.
(10) Head clerks of important subordinate offices, such as the offices of all Inspectors of Schools (including the Inspector of European Schools) and the Principals of the Presidency, Dacca and the Civil Engineering Colleges

6. The following classes of officers should not get promotion beyond class III :—

(1) Assistant Head Masters and Assistant Head Mistresses of High schools.
(2) Deputy Inspectors of Schools other than District Deputy Inspectors of Schools.
(3) Head clerks of the offices of all Principals of colleges (other than those mentioned in clause 10 under paragraph 5 above) and of the Principal, Calcutta Madrassa.
(4) All Assistant teachers of European schools other than those mentioned in clause 7 under paragraph 5 above.
(5) Senior English teachers of reformed Madrassas.
(6) Assistant Maulvis (Arabic teachers) of Madrassas.
(7) Assistant Masters of the Dacca School of Engineering.
(8) Laboratory Assistants.
(9) Teachers of the Government School of Art.

7. In the case of other officers in the Subordinate Educational Service promotion should be restricted to Rs. 100 in class V. The following is a list of such officers, but it may change from time to time owing to the promotion to the Subordinate Educational Service from the Lower Subordinate Educational Service and ungraded services of other officers not mentioned therein :—

(1) Assistant Masters of High schools.
(2) Head Masters of Middle English schools and Assistant Masters of Technical schools.
(3) Sub-Inspectors of Schools.
(4) Drawing Masters (other than those employed in the School of Art).
(5) Drill Masters.
(6) Gymnastic Masters.
(7) Pandits (teachers of Sanskrit).
(8) Maulvis (teachers of Arabic or Persian).
(9) Clerks other than those mentioned in clauses 10 and 3 under paragraphs 5 and 6 above, respectively.
(10) Cashiers.
(11) Draftsmen.
(12) Librarians of colleges other than the Presidency and Dacca Colleges.

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

LXXXIV.—(*a*) Will the Government be pleased to state whether it has finally been decided to abandon the present site of Noakhali town? Abandonment of site of Noakhali town

(*b*) If the answer to the above question is in the negative, will the Government be pleased to state what steps, if any, have been taken to fight against the erosion of the town by the river?

(*c*) If any such preventive scheme is being worked, will the Government be pleased to state the success which has up to now been achieved by this measure?

Answer by the Hon'ble MR. KERR :—

"(*a*) The position in regard to the possible removal of the head-quarters station of Noakhali was fully explained in the answer to the question put on this subject by the Hon'ble Babu Akhil Chandra Datta at the meeting of this Council held on the 3rd July. Government have no intention of abandoning the present station unless the erosion of the Meghna should render this course necessary.

(*b*) and (*c*) No measures have been taken because none are feasible. The magnitude of the erosion which extends over several miles of the coast and of the forces of nature causing the erosion makes the cost of any remedial measures absolutely prohibitive and out of all proportion to the value of the property to be protected."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Tests and qualifications for recruitment to certain educational and other services.

LXXXV.—(*a*) Will the Government be pleased to state what educational qualifications and tests there are by which officers are recruited for the Subordinate and Lower Subordinate Educational Services?

(*b*) What are the tests and educational qualifications by which officers are recruited in the following services :—

(*i*) in the Executive Branch of the Provincial Civil Service;

(*ii*) in the grade of Sub-Registrars,

(*iii*) as Kanungoes and Inspectors of Co-operative Societies; and

(*iv*) as Sub-Inspectors of Police and Excise?

(*c*) How many officers classified under the following heads are there in the services mentioned in clauses (*a*) and (*b*)?

M.A.s M.Sc.s.	B.A.s B.Sc.s	B.T.s	L.T.s	I.A. I.Sc.s	Matric.	No academic qualification

(*d*) How many officers classified under these heads have been appointed during the last five years in grade VIII and in the higher grades of the Subordinate Educational Service direct? How many in the several grades of the Lower Subordinate Educational Service?

(*e*) How many officers classified as above have been appointed direct in the higher grades of the following services during the last five years, viz :—

(*i*) in the grade of Sub-Deputy Collectors; and

(*ii*) in the grade of Sub-Registrars?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) The Hon'ble Member is referred to the Director of Public Instruction's Circular No. 188-1A-58-4, dated the 9th November, 1916, a copy of which was laid on the table in reply to question No. 5, at the meeting of the Legislative Council held on the 23rd January, 1917.

(*b*) (*i*) The rules regarding the tests and educational qualifications by which officers are recruited in the Executive Branch of the Provincial Civil Service are contained in Notification No. 1650A—D., dated the 31st July, 1913, a copy of which is laid on the table.*

(*ii*) The information is contained in Notification No. 5925 Registration, dated the 20th June 1914.†

(*iii*) The rules for recruitment of District Kanungoes are contained in Government Order No. 1314T.—R., dated the 29th June, 1916, a copy of an extract from which is laid on the table.

The rules for recruitment of Settlement Kanungoes are contained in Government Order No. 8153, dated the 25th August, 1914 ; a copy of the rule is laid on the table.

No specific qualifications have been fixed for the post of Inspector of Co-operative Societies.

* Not printed in these Proceedings—See page 1204 of the *Calcutta Gazette* of the 6th August 1913.
† Not printed in these Proceedings—See page 1205 of the *Calcutta Gazette* of the 24th June 1914.

(*iv*) The tests and educational qualifications according to which Sub-Inspectors are recruited in the Bengal and the Calcutta Police are laid down, respectively, in Government Notification No. 4978T., dated the 24th September, 1912 (published in the *Calcutta Gazette* of the 25th *idem*, Part I, pages 1532 to 1539), and in the Statement which is contained in clause (*c*) of this answer.

The tests and educational qualifications by which Excise Sub-Inspectors are recruited are contained in the rules for recruitment of Sub-Inspectors of Excise and Salt published with Notification No. 501S.R., dated the 15th March, 1915, at pages 447 to 450, Part I of the *Calcutta Gazette*, dated the 17th March, 1915.

(*c*) The following tables furnish the information required :—

	S E S	L S E S		S E S	L S E S
M. A. ...	90*	0	F. A. ...	160†	44
M. Sc. ...	11*	0	I. A. ...	4†	9
B. A. ...	288*	7	I. Sc. ...	1†	1
B. Sc. ...	12*	2	Matric. ...	26	96
B. T. ...	0	2	No academical qualification ...	407‡	187
L. T. ...	0	9			

* Of these 138 are B. T.s, one is L. T., and 3 are B. E.s.

† Of these 13 have passed the L. T. Examination.

‡ This number includes many who have passed such examinations as the Vernacular Mastership, School Final "C" class, Teachership, Final Madrassa Examination, Sub-Overseer Examination, Sanskrit Title Examination, Survey Schools Examination, Art School Examination and Commercial Class Final Examination. It also includes men who have passed the Middle English and the Middle Vernacular and the Upper Primary and Lower Primary standards of the Middle and Primary School courses.

There are in the Executive Branch of the Provincial Civil Service 110 M.A.s, 1 M.Sc.s, 158 B.A.s and 6 B.Sc.s. No information is available regarding the educational qualifications of the remaining 40 officers of the service.

	M. A.s M. Sc.s	B. A.s B. Sc.s	F. A.s I. A.s I. Sc.s	Matric.	No academic qualification
Sub-Registrars	...	45	141	111	125
District Kanungoes*	...	...	...	...	...
Settlement Kanungoes ...	1	51	53	39	6
Inspector of Co-operative Societies.†	...	6	5	2	...
Bengal Police	..	60 (including 2 B. A.s).	326	921	425
Calcutta Police	2	20	16	29	44 31 Europeans 13 Indians.
Sub-Inspector of Excise and Salt	...	10	81	106	44

* Information is not available.
† Sub-Deputy Collectors holding these posts are not included.

(*d*) The information is not available.

(*e*) (*i*) No direct appointments to the higher grades have been made during the last five years.

(*e*) (*ii*)—

M. A.	Nil	F. A.	4
B. A.	2	Matric.	4
B. L.	1	No academic qualification ...	4

ORDERS.

Extract from a letter from the Hon'ble Mr. L. Birley, C.I.E., I.C.S., Officiating Secretary to the Government of Bengal, Revenue (Miscellaneous) Department, to all Commissioners of Divisions.

Nos. 1314-18T.R., dated Darjeeling, the 29th June, 1916, referred to in the answer to clause (*b*) (*iii*) of Question No. LXXXV.

* * * * * * * *

Paragraph 4—

The Governor in Council is accordingly pleased to lay down the following rules in supersession of the existing rules in section VII, Chapter III, of the Board's Rules, 1910, for the guidance of the Commissioners of Divisions in making arrangements for the recruitment and training of candidates for district kanungoship :—

(1) Appointments to the post of district kanungo shall be made from among—

(*a*) approved settlement kanungos, and

(*b*) registered candidates on the lists maintained by Divisional Commissioners.

(2) No age-limit is fixed in the case of appointments of settlement kanungos. Candidates registered by Commissioners must not be over 25 years of age on the date of registration, but no minimum age is prescribed beyond which a registered candidate may not obtain a permanent appointment.

(3) Commissioners will register candidates according to the following scales :—

				Cadre	Maximum number of registered candidates
Burdwan	Division	...	...	11	4
Presidency	,,	...	...	16	5
Dacca	,,	...	...	14	5
Chittagong	,,	...	...	5	2
Rajshahi	,,	...	...	8	3
		Total	...	54	19

(4) No candidate will be registered unless (*a*) he has passed the Intermediate Arts or the Intermediate Science Examination ; (*b*) has undergone a nine months' course of survey at the Comilla Survey School ; (*c*) can produce evidence of strong constitution and active habits.

* * * * * * * *

No. 8153, dated Calcutta, the 25th August, 1914.

* * * * * *

Rules for the appointment of Kanungos in the Settlements of the Bengal Presidency referred to in the answer to clause (*b*) (*iii*) of Question No. LXXXV.

1. At least three-fourths of the selections of settlement kanungos will ordinarily be made by the Director of Land Records annually on or before the 15th July on the nominations of district officers and of district settlement officers after such personal examination as he may think fit. The remaining selections, if any, will be made by the Director of Land Records direct. The total number of selections so made will be 25 per cent. more than the estimated number of vacancies likely to occur during the ensuing year.

2. Applications will be received by district officers and district settlement officers for appointment. Applications addressed to the Director of Land Records will ordinarily be sent to the district or district settlement officer concerned.

3. Nominations will be reported annually on the 1st July to the Director of Land Records.

4. Each district officer will have two nominations, except Dacca, Mymensingh, Howrah and the 24-Parganas, which will have four each. Each district settlement officer will have four nominations.

5. In the districts of the Dacca, Chittagong and Rajshahi Divisions, one nominee at least should be a Muhammadan, whilst in the districts of the Burdwan and Presidency Divisions, one Muhammadan nomination, whenever a suitable candidate is available, should be made. At least one-third of the selections made by the Director of Land Records should be Muhammadans.

6. Nominations will be made in the accompanying form. Nominees should be men of good character, strong physique and active habits who have obtained a Bachelor's degree.

In exceptional cases candidates may be taken who have only passed the Intermediate or Matriculation Examination, but such nominations should be rare. Candidates should be at least 21 and not more than 25 years of age and residents of the district. For this purpose near relations of a Government officer who is serving in a district will be treated as residents of that district. Nominations of office clerks should be avoided as far as possible.

7. Selected nominees will be sent at their own expense for two months' training to a major settlement. Those who pass the examination held at the end of that training will be sent, provided there are vacancies, to major settlements on probation for six months on Rs. 75 per month. At the end of that period if they have rendered satisfactory service they will be confirmed as kanungos and given the initial pay of Rs. 100 per month. If there are insufficient vacancies, passed candidates will be provided with appointments later.

* * * * * *

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Minimum salary of the ministerial staff in Commissioner's, Collector's and District Judge's offices and starting pay offered to office of certain educational services.

LXXXVI.—(*a*) Will the Government be pleased to state what considerations have moved the Government of Bengal to raise the minimum initial salary of the ministerial staff in the Commissioner's, Collector's and District Judge's office to Rs. 30.

(*b*) Will the Government be pleased to state what starting pay is now offered to Educational officers of the Subordinate Educational Service and the Lower Subordinate Educational Service?

(*c*) Will the Government be pleased to state the average educational qualifications of the recruits in the ministerial services mentioned in clause (*a*)?

(*d*) What circumstances led the Government of Eastern Bengal and Assam to recruit graduates direct on Rs. 50 and above in supersession of previous circulars?

(*e*) Will the Government be pleased to state what are the orders issued by the Director of Public Instruction's office from time to time on the subject of initial pay referred to in the Director of Public Instruction's Circular No. $\frac{188}{4A-58-16}$? Will the Government be pleased to lay all these Circulars on the table?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) The salary of the ministerial staff in the Commissioners', Collectors' and District Judges' offices is regulated by orders passed before the constitution of the Presidency in its present form. The minimum salary in Commissioners' offices was fixed at Rs. 30 in 1909 in Western Bengal districts, and in 1911 in Eastern Bengal districts, on the recommendation of the Ministerial Officers' Salaries Committees of the two provinces of Bengal and Eastern Bengal and Assam. This rate of pay was considered to be the minimum at which competent clerks could be secured for Commissioners' offices. The minimum pay of clerks in Collectors' and District Judges offices' was fixed at Rs. 30 in Eastern Bengal districts and Rs. 25 in Western Bengal districts, on the recommendations of the Ministerial Officers' Salaries Committees. These rates were the lowest sums which could be taken to represent a living wage for men of the clerical class in the respective provinces of Eastern Bengal and Assam and Bengal.

(*b*) Except in special cases, educational officers are appointed on the following initial rates of pay :—

(1) Foreman Instructors on Rs. 200, in Class II of the Subordinate Educational Service.

(2) Lecturers and Demonstrators in Colleges on not less than Rs. 100 in Class V of the Subordinate Educational Service.

(3) Deputy Inspectors on Rs. 75 in Class VI of the Subordinate Educational Service.
(4) Laboratory Assistants in Colleges on Rs. 50 in Class VIII of the Subordinate Educational Service.
(5) Sub-Inspectors on Rs. 50 in Class VIII of the Subordinate Educational Service.

The Hon'ble Member is also referred to the replies to questions LXXXV and LXXXIII.

(*c*) The passing of the Matriculation Examination.
(*d*) The information is not available.
(*e*) The circulars referred to are laid on the table."

Circulars referred to in the answers by the HON'BLE MR. HORNELL, *to clause* (*e*) *of question No. LXXXVI* (*unstarred*) *asked by the* HON'BLE MAULVI A. K. FAZL-UL-HAQ.

CIRCULAR NO $\frac{188}{4A-58-16}$, dated Calcutta, the 9th November, 1916.

From—The Hon'ble Mr. W. W. HORNELL, M.A. (OXON.), Director of Public Instruction, Bengal,

To—All Divisional Inspectors of Schools; all Principals of Government Colleges; the Principal, Calcutta Madrassa; the Principal, Bethune College; the Lady Principal, Eden High School for Girls, Dacca; the Secretaries, Madrassa Committees at Dacca and Chittagong, and Inspectresses of Schools.

I HAVE the honour to inform you that on a review of the orders issued by this office from time to time, on the subject of the initial pay on which persons with various qualifications should be appointed, I find that orders are not clear. Accordingly I lay down, in supersession of the previous orders on the subject, that persons of the qualifications mentioned below should be appointed on the initial pay noted against them—

M. A.s or M. Sc.s when they are appointed in high schools or to posts of Laboratory Assistants in colleges ...	Rupees 50 in Class VIII of the Subordinate Educational Service.
B. A.'s or B. Sc.'s	Rupees 35 in Class I of the Lower Subordinate Educational Service.
I. A.'s or I. Sc.'s	Rupees 25 in Class III of the lower Subordinate Educational Service.

2. No person should be appointed on a higher initial pay than that indicated above, without the special sanction of this office. Applications for such sanction can be made only in very exceptional cases, for instance, when Muhammadans have to be appointed and they cannot be obtained on the terms indicated above. Special reference should be made to this office, when occasions arise for the relaxation of the above limits.

3. The cases of B. T.s and L. T.s are difficult. It would appear fair and reasonable to offer them higher initial salaries than those who have not passed these examinations, and that a teacher in the Lower Subordinate Educational Service who is deputed to the training college for a course of training, has, on coming out successful, a claim to special and immediate promotion. This is, however, not practicable. If, for example, an outsider B. T. or L. T. is appointed on a higher salary than the officers already in Government service who possess similar qualifications, the latter will have a just grievance.

4. It is not possible to fix the initial pay of B. T.s and L. T.s, but I do not wish to discourage training. The case of an officer of this Department (teacher or inspecting officer) who improves his qualifications by passing

successfully through a course of training will be specially considered in the matter of promotion so far as this can be done without prejudice to the claims of other deserving officers. It is also proposed that there should be certain posts, viz., Head Mastership of the improved *guru*-training schools for which the B. T. will be an indispensable qualification.

5 As regards the appointment of outsiders to teaching or inspecting posts, *preference should always be given* to B. T.s and L. T.s if such candidates are available, and if they can be appointed without prejudice to legitimate claims of certain communities for a share of Government patronage. I would suggest that you should make this clear in advertising a vacancy. If a B. T. or L. T. is forthcoming, he should ordinarily be appointed on the initial pay to which he is entitled according to his general academical qualification as indicated in paragraph 1. If, however, it is proposed to appoint an experienced B. T. or L. T. in the first instance to Government service, his case must be referred to this office if he is not prepared to accept the ordinary terms.

6. Another matter which I should impress upon you is the fact that the more outsiders are appointed to the Subordinate Educational Service or to the higher grades in the Lower Subordinate Educational Service, the fewer will be the chances of promotion of the deserving officers from the Lower Subordinate Educational Service. It is perfectly true that it is difficult to secure suitable graduate teachers on the terms that can be offered under existing conditions, but one cannot have it both ways, and if appointments are made direct in higher grades, we diminish proportionately the prospects of promotion of the officers in the lower grades. The generally unsatisfactory conditions of Government schools in the matter of staff have been pointed out to Government over and over again, but the remedy which is a costly one, cannot be considered until the financial position has been readjusted.

CIRCULAR NO. $\frac{246}{70-71-13}$ dated Calcutta, the $\frac{19th}{26th}$ November, 1913.

From—W. C. WORDSWORTH, ESQ., Assistant Director of Public Instruction, Bengal,

To—All the Divisional Inspectors of Schools and all Principals of Government Colleges (including the Principal, Calcutta Madrassa, the Lady Principals, Bethune College, and the Eden Female School, Dacca).

I HAVE the honour to invite your attention to this office Circular No. 13, dated the $\frac{14th\ February}{20th\ March}$, 1903, in terms of which a B. A. graduate with Honours should ordinarily begin on no higher pay than Rs. 40 and a pass B. A. on Rs. 30 a month. Subsequently to that date almost all the ungraded officers of the Department drawing salaries below Rs. 50 a month were included in a classified service called the Lower Subordinate Educational Service, and graduates are now generally appointed in Class II (Rs. 30—1—35) of that service and occasionally even in the lower grades.

2. As such appointments interfere seriously with the prospects of promotion of non-graduate officers in the Lower Subordinate Educational Service, it has been ruled that until further orders graduates should not without the previous sanction of this office be appointed to any educational posts for which the pay available is less than Rs. 35 in Class I of the Lower Subordinate Educational Service.

Circular No. 13, dated Calcutta, the $\frac{14th\ February}{20th\ March}$, 1903.

From—A. PEDLER, ESQ., F.R.S., C.I.E., Director of Public Instruction, Bengal,

To—All Inspectors of Schools; Principals of Colleges (including the Calcutta Madrassa and the Civil Engineering College, Sibpur); the Principal of the Government School of Art; the Secretaries of the Dacca and Chittagong Madrassa Committees, the Bethune College Committee, and the Eden Female School Committee, Dacca; and the Vice-Presidents of the Boards of Management of the Alipore and Hazaribagh Reformatory Schools.

I HAVE the honour to inform you that I have made proposals to Government with a view of improving the pay and prospects of the ungraded officers

of the department by including them in a classified service to be designated "Lower Subordinate Educational Service."

2. In view of this proposal a list of the ungraded officers on salaries varying from Rs. 45 a month downwards has been prepared in this office, a copy of which (with ten spare copies for the Divisional Inspectors, and one copy for other officers) is herewith enclosed.

3. I have to request that you will be good enough to carefully verify the entries in the statement and correct and complete it up to the 1st April next, so that no officer other than a monial may be left out. The list so revised should be submitted to this office *not later than the 15th of April next.*

4. The seniority of the officers should be determined by the date from which they have been drawing their present substantive pay, those drawing any pay substantively *pro tempore* being placed below the former. In revising the list the principle laid down should be scrupulously followed.

5. It is also desirable that henceforth in making promotions regard should be had to the claims of officers not as serving under different Inspectors of Schools, Principals of Colleges, etc., but as belonging to one common service for the whole province. Accordingly, when a vacancy takes place in an institution under your control, the vacancy may be filled up by you and the arrangement reported to this office for sanction. The man newly appointed should not necessarily get the pay of the vacant post, but he must begin on such pay as one of his qualifications may usually expect on his first appointment. For instance, a B. A. graduate with Honours should ordinarily begin on no higher pay than Rs. 40, a pass B. A., Rs. 30, an undergraduate, a Sanskrit Pandit, or a Drawing Master trained in the School of Art, Rs. 20, and a Pandit who has passed the Vernacular Mastership Examination only from a Training School, Rs 15 a month. The higher pay that may thus be available should go to one of the senior and deserving officers in the combined list, the promotions being made by this office. To enable me to make these promotions I have to request you to be good enough to enter in the column for "Remarks" in the printed list your opinion against the name of each officer subordinate to you as to whether he is deserving of promotion or not. The list should be treated as confidential, and returned to me in a cover marked "Confidential."

6. Similar lists will be forwarded to you half-yearly in future for return to this office after correction, and in the "Remarks" column you will, as on the present occasion, fill up personally your views as to desirability of promotion of each officer serving under you.

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Discontinuance of publication of appointments, etc., of officers of Subordinate Educational Service in Calcutta Gazette.

LXXXVII.—(*a*) Will the Government be pleased to state the reasons for discontinuing the publication of appointments, promotions and transfers of Subordinate Educational Service officers in the *Calcutta Gazette* and for continuing the publication of postings of such officers as Sub-Registrars?

(*b*) Will the Government be pleased to state the reason why the gradation lists of officers of the Subordinate Educational Service are recently being published in a manner quite different from the tabulated form observed in other graded lists?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) The practice of publishing the appointments, promotions and transfers of the Subordinate Educational Service officers in the *Calcutta Gazette* was discontinued in order to reduce the bulk of the *Calcutta Gazette* and so effect an economy in the consumption of paper. The posting of Sub-Registrars are notified in the *Gazette* because the information is considered to be useful for the public.

(*b*) The gradation lists of the Subordinate Educational Service are being published in a tabular form, like those of certain other services, for reasons of economy."

LIST OF BUSINESS—ITEM No. 2.

THE BENGAL TENANCY (AMENDMENT) BILL, 1917.

The Hon'ble MR. N. D. BEATSON BELL moved for leave to introduce a Bill to supplement and amend the Bengal Tenancy Act, 1885.

He said :—

"My Lord, this Bill is comparatively small and I hope comparatively non-contentious. As the House is aware, we contemplate larger legislation on the general question of the transfer of occupancy holdings throughout the province. That is an extremely difficult problem and we have already made several attempts to solve it. We are now engaged on a fresh draft and we hope to have it ready before very long. It is obviously a question which demands care and caution. The Bill that is now before us is a much smaller measure. It deals with the aboriginal tribes who are found in a few places in Bengal, chiefly on the outskirts of the province. These simple aboriginal folk, unless they are protected against themselves, are in great danger of losing their ancestral lands and becoming reduced to a position not far removed from serfdom. We have given the problem our anxious consideration. Following similar legislation which is already in force in neighbouring provinces we have drafted this Bill which, we hope, will meet with general acceptance. The main principle of the Bill simply is that, while within certain limits we allow transfers of land in the form of sub-letting and mortgaging as between one aboriginal and another, we try to prevent the land from passing from the hands of an aboriginal into the hands of a member of another race. The Statement of Objects and Reasons explains concisely why we have brought forward this Bill, and the detailed notes on clauses explain more fully what we propose to do in each specific case. I shall not detain this House now by going over the clauses. The papers will be circulated to all who are interested in this question, and on a future occasion I hope to have an opportunity of moving for permission to send this Bill to a Select Committee. On the present occasion, my object is purely formal. I move for leave to introduce this Bill."

The motion was put and agreed to.

LIST OF BUSINESS—ITEM No. 3.

RESOLUTIONS

(*under the Rules for the discussion of matters of general public interest*).

The Hon'ble MR. ALTAF ALI moved the following resolution :—

"This Council recommends to the Governor in Council that the experiment of appointing a non-official as Chairman of the Murshidabad District Board be tried in at least one district of each of the five divisions of the Presidency."

He said :—

"My Lord, as a representative of the District Boards I feel it my duty to express gratitude to the Government for having taken the first step towards what I may venture to call a somewhat belated reform by appointing a non-official as the Chairman of a District Board. My Lord, we have often heard it said that local self-government has not been a remarkable success in

Mr. Altaf Ali.

this country. I must admit the charge, but considering all the drawbacks with which we have worked, the success on the whole has not been quite unsatisfactory.

If we closely examine the reasons for this result, we shall find them to be many, far too many, to enumerate during the short time I have at my disposal. In short, Lord Ripon's magnificent idea was never given a fair trial and a genuine attempt to foster real self-government has not yet been made.

The Boards, as now constituted, consist of men, some of whom are elected in some districts and appointed in others, and are presided over by District Officers, who, by virtue of their position as the chief executive officer of the district, possess such an enormous influence that to attempt to carry any project against his wish is as difficult and impossible as the proverbial knocking of one's head against the wall. The whole work of administration is practically done by the Chairman, and the Board merely endorses the matters already disposed of by him in anticipation or approves matters about which his opinion has been expressed one way or the other. The entire proceedings of the District Board are sometimes mere formal sanction of the proposals made by the Chairman.

It would be useful to recall here the exact words of Lord Ripon's Despatch on the aims and objects of local self-government. 'The task of administration,' thus runs his resolution, 'is yearly becoming more onerous as the country progresses in civilization and material prosperity. The annual reports of every Government tell us of an ever-increasing burden laid upon the shoulders of local officers. The cry is everywhere for increased establishments. Under these circumstances, it becomes imperatively necessary to look around for some means of relief; the Governor-General in Council has no hesitation in stating his convictions that the only reasonable plan open to the Government is to induce the people themselves to undertake, as far as may be, the management of their own affairs and to develop and create, if need be, a capacity for self-help in respect of all matters that have not, for Imperial reasons, to be retained in the representatives of the Government.' And the resolution went on to point out: 'It is not primarily with a view to improvement in the administration that this measure is put forward and supported. It is chiefly desirable as an instrument of political and popular education.'

These are words well worth recalling to-day when there is as insistent a cry at least of the over burdening of the District Officers as in 1882 and certainly as great a need for shifting a part of the burden on 'the intelligent class of public spirited men which has been rapidly growing up.' It is also as necessary to-day as then to insist that it is of far greater importance in this matter to consider the need for the education of the people in self-government than mere efficiency of administration.

The introduction of local self-government and the entrusting of the management of their own affairs to local people have not had the effect of reducing the burden of the District Officer—it has, if anything, increased it. The reason is that contrary to the principles emphasised by Lord Ripon's Government, District Officers have been made Chairmen of District Boards. And for that very reason the education of the people in local self-government has not advanced as far as might have been expected. Lord Ripon's Government clearly recognised that in order to lead to any good results there must be real self-government from the very start and they emphasised that the District Officers must not be Chairmen or even members of the Boards, and that to quote their expression, 'Care must be taken that the Boards are left unfettered in the initiation and direction of operations and that the Engineer is placed in the position of their servant and not of their master.'

Mr. Altaf Ali.

The real aim of the Government, my Lord, was to train the people in the art of self-government, to call forth the best energies of the people to be devoted to public life, to create and foster a healthy civic life by which persons of local knowledge and experience, men of public spirit and interest, may be largely interested in the administration of the district. It is not efficiency that was sought, nor was it considered that good government would be a substitute for popular government with all its defects.

The boldness and the breadth of Lord Ripon's ideas proved too much for the heads of Government that followed and in their hands these principles were dwarfed in their application. The District Board was so organised as to have the District Officer at the helm of affairs. Every precaution was taken to see that the District Boards did nothing except what the District Officer, the Commissioner, in fact the entire bureaucracy, approved. This, my Lord, was supposed to be a safe method of teaching the people self-government. It was like teaching a child to walk without letting his feet touch the ground.

A man wanted to buy a horse, but had no money to buy it with. A shrewd neighbour advised him to buy it by instalments and to begin by buying the tail. This sort of getting self-government by instalments is like getting a horse by instalments. This, my Lord, I beg to submit, is impossible. You cannot possibly acquire full capacity for self-government unless you have the very first requisite of self-government, *i.e.*, full responsibility.

One of the first things you have to do, my Lord, if you want to promote real self-government would be to take the responsible head of the District Board from among the members of the Board themselves, and I congratulate the Government on having taken this step with regard to the Murshidabad District Board. As I have said in the course of my last budget speech, Rai Baikuntha Nath Sen Bahadur would more than justify his appointment, and I am equally confident that if Your Excellency's Government will accept my present Resolution there would not be any difficulty in finding suitable men.

My proposal before the Council is that the experiment should be tried on a much wider scale and several districts should be selected from different parts of the Presidency or one from each Division to give the experiment a really decisive character. I beg leave to assure Your Excellency that the experiment stands an equal chance of success in districts other than Murshidabad. If Your Excellency's Government want to make this the beginning of a decisive forward step in the history of local self-government, I submit that it is unsafe to let the ultimate decision rest on an experiment made in only one district in Bengal. It goes without saying that instances of success or failure in one part of a province is a very unsafe criterion to go upon in these matters. Personally, I feel that it is best to have, even now, non-officials as Chairmen of every District Board in the Presidency. This may be a temporary set-back in some districts, a temporary falling off in the standard of efficiency in one or two places, but the ultimate benefit that will follow everywhere would be striking. But, my Lord, I am not asking for such a radical change without due care and attention, without testing the ability of the men that we would ask to preside over our Boards.

The Government have, by this appointment at Murshidabad, already accepted the principle that non-official Chairmen would be useful, if only possible.

The proposal that I am now placing before your Excellency is a very modest one. I only ask your Excellency to test the possibility of having non-officials as Chairmen of all the District Boards by an experiment on a larger scale—an experiment which can be decisive, if only it is tried on the lines I have suggested."

Maulvi Abul Kasem ; Sir S. P. Sinha.

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord, I beg to support the resolution just moved by the Hon'ble Mr. Altaf Ali. In doing so I do not think that I need add to it many words of mine to commend it either to your Excellency's Government or to this Council. I have got one particular grievance in this matter. It was reported some time back that Burdwan was one of the two districts selected by Government for the trial of the experiment of a non-official Chairman of the District Board. The appointment was offered to a nobleman who, on account of his age and ill-health, had to refuse the offer of the highest office open to an Indian and it was not reasonable to expect that he would take upon himself the arduous duties and responsibilities of the office and Burdwan consequently lost the honour and the privilege of having a non-official Chairman of the District Board. What we, the people of Burdwan, feel is that it has been remarked in official quarters that we were denied the privilege because no man was available there who was willing and able to take up the work. In this connection I may say, my Lord, that we have amongst us nearly half-a-dozen men who can discharge the duties of the office as well and as efficiently as, if not better than, the Magistrate-Chairman of that district. We have in the person of the present Vice-Chairman, Rai Bahadur Bonwari Lal Hati, a gentleman who has worked as such for over a quarter of a century which I believe is a record in the Presidency and the fact that he has been elected Vice-Chairman year after year proves that he has been an efficient administrator of the District Board and is very popular with his colleagues and the people of the district, and the fact that his work has been favourably commended year after year in Government resolutions shows that it has also been highly appreciated by Government. In these circumstances it is only reasonable that we should ask your Excellency to try the experiment in that district among others. In another district of my division we have in the District Board a member who has been Chairman of one District Board or other for more than 20 years. Can we not have his services? I think my Lord, that the resolution moved by my friend is a very moderate and a too modest one and it might have gone much farther. We may try the experiment in such districts where the Government may think it proper. Experiment in one or two isolated districts is neither safe nor fair to my countrymen. The experiment may succeed or may fail but isolated cases cannot give us sufficient data to come to a definite conclusion. It has been said, my Lord, that if a non-official is appointed as Chairman of the District Board, the efficiency of the administration will suffer. But I submit, my Lord, that efficiency is not a monopoly of the Indian officials. It is argued that non-officials cannot or will not devote much time for the work of the Board. I want to know how much time can a District Magistrate, who is said to be a very hard worked officer, spare for the District Board and what attention and care is given by the Magistrate and the other official members of the Board to the work of the Board. Those who have any experience about District Boards will agree with me when I say that most of the administrative work is done by the non-official Vice-Chairman and greater interest is taken in the affairs of the Board by non-officials than officials. With these words I commend this resolution to this Council and hope that Your Excellency's Government will see their way to accept it."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, if I intervene at this early stage, I do so in the expectation that what I am going to say will probably meet with the approval of hon'ble members and cut short the debate which otherwise might last longer. My

Sir S. P. Sinha.

Lord, I desire, on behalf of Government, to express my sympathy with the feeling which prompted the mover to bring forward this question, as we have already decided to try the experiment on a larger scale and to extend it almost immediately at least to one other district. We have further decided that that experiment should be somewhat different from what it was on the last occasion in the case of Murshidabad, namely, that instead of our appointing a non-official Chairman we should leave it to the members of the District Board or Boards selected to elect their Chairman. That, I think, is a very distinct advance on what has been the invariable practice ever since the Act was enacted. As Hon'ble Members know, this Act—the Local Self-Government Act in Bengal—was enacted shortly after the memorable resolution of Lord Ripon on Self-Government and is Act III of 1885. The section, which deals with the appointment of Chairmen of District Boards, is section 22 of the Act and enacts as follows :—'Every District Board shall be presided over by a Chairman who shall be appointed by the Lieutenant-Governor,' that is to say, that is the normal rule with regard to District Boards, 'or should the Lieutenant-Governor in any case so direct, be elected either by name or by virtue of his office by the members of such Boards from among their own number, subject to his approval.' Since 1884 the normal rule has invariably been followed in Bengal until it was departed from only in the beginning of this year or rather at the end of last year when Rai Baikuntha Nath Sen Bahadur was appointed Chairman of the District Board of Murshidabad. It is not necessary that I should go back further than the recommendations of the Decentralisation Commission in that respect. But, before I refer to that, I would just say one word to express, on behalf of Government, its entire approval of the principles underlying that memorable resolution of Lord Ripon. There is not one word in that resolution with which this Government is not in entire sympathy. Now the matter was dealt with by the Decentralisation Commission. I only refer to it to show that it is not out of any desire on the part of Government to retain control through the District Officers that the section in the Act has been always applied in practice as it has been. The Report of the Decentralisation Commission, making a distinction between District Boards and Municipalities, recommended that the Chairmen of District Boards should continue to be District Officers, whereas the normal rule with regard to municipalities was that they should be presided over by non-official elected Chairmen. The Government of India, after having consulted all the Local Governments in India, dealt with that recommendation in paragraph 28 of the well-known resolution on Local Self-Government of the 28th April, 1915. I would draw the attention of Hon'ble Members to that paragraph. 'The Commission were of opinion that an official should remain, as he usually is at present, Chairman of every District and Sub-District Board. They consider that the removal of the District and Subdivisional Officer from the presidentship of rural boards would have the effect of dissociating them from the general interests of the district in such matters as roads, education, sanitation, etc., and would divorce them from healthy contact with instructed non-official opinion. They differentiated the circumstances of rural boards from those of municipalities, in that the latter are less connected with general district administration, that they have reached a higher level of political education, and that the jurisdictional area is much smaller and more compact. All Local Governments have accepted this view with which the Government of India are in agreement, though they will have no objection to non-official Chairmen being retained where such exist or appointed where a Local Government or Administration desires to make the experiment'. In other words, in April, 1915, the Government of India gave the option to the Local Government to try the experiment of having non-official Chairmen in District Boards. This Government was not slow to avail itself of the liberty thus left to itself. The matter was almost immediately after the resolution taken in hand, various opinions from officials and non-officials obtained, and on the 12th June, 1916, it was decided that Rai Baikuntha Nath Sen Bahadur should be appointed Chairman of the District Board of Murshidabad, and he assumed office from December, 1916. Now it

is not a year yet since that appointment was made, *i.e.*, since the experiment was begun. I should have thought that it was not yet time to move any further resolution with regard to it; but at the same time, I am glad to be able to say that though the time since Rai Baikuntha Nath Sen Bahadur's appointment is so short, we have every reason to hope that his administration will prove fairly successful. In that hope and in that belief, we have taken up the matter again, and as I announced in the very beginning, we have decided to extend the experiment not necessarily to one district, but at least to one other district and further to leave to the members to elect their own Chairman instead of appointing one ourselves; and if it be the fact, as previous speakers have said, that there is not only reasonable expectation but the certainty of finding men of position, capacity and leisure, willing and able to give their time and energy to public affairs, I can assure Hon'ble Members that there will be no disinclination on the part of Government to avail themselves of the opportunity in such districts to put in operation the experiment at once. At the same time, I feel bound to say that I am not equally confident with my friends who have spoken before me that it is possible to find at least in one district in every division such men as we hope the District Board members can elect themselves when the chance is given to them. But, in our desire that the experiment should be a success and that we should be able to extend it even further, we have got to go, as my friends themselves will be the first to admit, with caution and care. I should have been glad, on behalf of Government, if I could accept the resolution as it stands, namely, that we should try at least the experiment in one district of each of the five divisions of the Presidency. But it is not as if the matter had not been considered: it was considered only a year ago and it was then considered that it would not be conducive to the success of the experiment that there should be hard and fast rules of that kind. The reason is obvious. You may have in one division two districts where you can easily get men of the type and character that are necessary. But you may have a division in which there is not a single district in which such men are available. Is it not desirable in the interests of both Government and the District Boards that the experiment should be conducted under the best auspices and with the best chance of success? With the assurance that we are favourably considering the possibility of extending this experiment as much as possible and as soon as possible, I hope that the Hon'ble Member will feel satisfied."

The Hon'ble Mr. ALTAF ALI said :—

"In view of the assurance given by the Hon'ble Member in charge I beg to withdraw my resolution."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 4.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ moved the following resolution :—

"This Council recommends to the Governor in Council that a few of the important government departments to be selected by the Governor in Council be permanently located at Dacca."

He said :—

"My Lord, it is with some diffidence that I rise to say a few words in support of this resolution. While on the one hand I am weighted down by the heavy responsibilities of the task that I have taken upon myself, on the other hand I feel that I will have to contend against somewhat appalling odds

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in recommending this resolution for the acceptance of your Excellency's Government. I think I can detect in the eyes of some of my friends opposite, from the western districts of the Presidency, a lurking suspicion that if this resolution is accepted, Calcutta will be further shorn of a portion of the remnants of its departed glories. But more than this I am afraid that there will be a solid phalanx of official opinion which would be pitted against me and whose exponents are some of the ablest members of the permanent Civil Service in the country who think that I am going to raise a sacrilegious hand against the sacred preserves of a privileged bureaucracy. With the boldest heart I bend before the task, but I am encouraged in the thought that in your Excellency I shall have a very fair and impartial judge. As the poet said, my Lord, my strength lies in the fact that my cause is just. My Lord, before I proceed to the consideration of this resolution I think I had better try to analyse some of the questions that arise in connection with this resolution. I have made a hurried attempt in setting forth some of the questions that I think ought to be answered before we can approach the considerations of the issues that are raised by this resolution. In the first place let us consider if there is a general demand on the part of the people of the Eastern Bengal, who, I submit, constitute the majority of the population in this Presidency, for a request like that contained in my resolution. Secondly, my Lord, let us consider if there is any justification for this insistent demand on the part of the people. Thirdly, would it be so unprecedented a measure as to be avoided just as one avoids a leap in the dark. Fourthly, what are the possible objections to the location of some of the Government Departments at Dacca, and lastly, what are the possible departments which can be located in the Eastern capital of the province.

In answering the first question I will take leave of your Excellency to remind this Council of what happened when the annulment of the partition was decided upon and the solemn pledges that were given to us—the people of Eastern Bengal, the Muhammadan community in particular—by His Majesty the King-Emperor who was induced by his advisors to take so momentous a step. It is necessary that I should do so because in the words of the great Anglo-Indian poet 'lest we forget.' Besides, as I remarked on a previous occasion if human memory is short, official memories are very much shorter, and it is not a matter of surprise that within the last few years my official friends have managed to forget their special obligations to the people of Eastern Bengal. I am sorry that I have not got sufficient time at my disposal to take them through the history of events that followed the administrative measure known as the partition of Bengal. I cannot take up the time of this Council by reminding my official friends of the solemn pledges, no less than solemn promises, that were made to the people of this part of the country, nor can I take up your Excellency's time by taking them word by word through the memorable despatch which attempted to justify a measure which, on the face of it, appeared to the people of Eastern Bengal as nothing short of a breach of faith to the Muhammadan community in particular. My Lord, to begin with, this is what his Excellency the Viceroy in Council said in the despatch to the Secretary of State. I am reading one of the sentences of the despatch: 'The simple rescission of the partition and a reversion to the *status quo ante* are manifestly impossible, both on political and on administrative grounds. The old province of Bengal was unmanageable under any form of government, and we could not defraud the legitimate expectations of the Muhammadans of Eastern Bengal who form the bulk of the population of that province, and who have been loyal to the British Government throughout the troubles without exposing ourselves to the charge of bad faith.' Then, my Lord, the despatch goes on to say:—'Anxious as we are to take Bengali feeling into account, we cannot overrate the importance of consulting at the same time the interests and the sentiments of the Muhammadans of Eastern Bengal. It must be remembered that the Muhammadans

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of Eastern Bengal have at the present an overwhelming majority in point of population, and that if the Bengali speaking divisions were amalgamated on the lines suggested in our scheme, the Muhammadans would still be in a position of approximate numerical equality with a possibility of a small superiority over the Hindus. The future province of Bengal, moreover, will be a compact territory of quite moderate extent. The Governor in Council will have ample time and opportunity to study the needs of the various communities committed to his charge. Unlike his predecessors he will have a great advantage in that he will find ready to hand at Dacca a second capital with all the conveniences of ordinary provincial headquarters. He will reside there from time to time just as the Lieutenant-Governor of the United Provinces frequently resides in Lucknow, and he will in this way be enabled to keep in close touch with Muhammadan sentiment and interests. It must also be borne in mind that the interests of Muhammadans will be safeguarded by the special representation which they enjoy in the Legislative Councils, while as regards representation on local bodies they will be in the same position as at present. We need not, therefore, trouble your Lordship with the reasons why we have discarded the suggestion that a Chief Commissionership or a semi-independent Commissionership within the new province might be created at Dacca. We regard the creation of a Governor in Council of Bengal as a very important feature of our scheme.' If we turn to the documents that passed between the Government of India and the Secretary of State on the question of the territorial redistributions, there can not be left any shadow of doubt that the maintenance of the importance of Dacca as the capital of Eastern Bengal was laid down as the *sine qua non* of the administrative rearrangements. 'It is certain' said the Secretary of State 'that the Provincial centre of gravity had been unduly diverted to the western portion of the area, and to Calcutta itself, with the result that the Muhammadan community of Eastern Bengal were unintentionally deprived of an adequate share of consideration and attention.' My Lord, it was this deplorable negligence of Eastern Bengal which necessitated the territorial changes brought about by Lord Curzon. In view of the unfortunate state of things which prevailed before the partition I would ask, my Lord, whether it is not time to consider whether the people of Eastern Bengal and the Muhammadans particularly are not justified in asking your Excellency's Council to act, not merely to the letter but to the spirit of the recommendations contained in that famous despatch."

We come back, my Lord, to the first question—is there any genuine demand on the part of the people for the location of some of the departments of Government at Dacca? Your Excellency will find that three years ago, on the occasion of the first sitting of the Legislative Council in this city, I moved an identical resolution. That resolution was, however, defeated, but the reply that was offered on behalf of Government was, if I may respectfully say so, so halting, at least in some particulars and the reasons adduced were so obviously untenable as regards some of the departments concerned, that I thought that better counsels would prevail and that in the course of time I would get what I wanted. I waited three years, my Lord, but I waited in vain. Only a month ago in the addresses of welcome that were presented to Your Excellency, an unmistakeable expression was given to the wishes of the people of Eastern Bengal that some of the departments of Government should be permanently located at Dacca. Added to this, your Excellency will find that the *Herald* of Dacca, the only organ of public opinion in Eastern Bengal, has repeatedly drawn the attention of your Excellency's Government to the desirability of having some of the departments located at Dacca. In the issues of the *Herald* of the 13th, 14th and 15th July there are series of articles on this subject, and I do not think I can do better than commend to the notice of this Council the arguments advanced

by that paper for the location of some departments at Dacca, and I do not think I can improve on the arguments that have been advanced by that paper. I think, therefore, my Lord, we may safely conclude that there has been a genuine demand on the part of the people for the request that I make in this resolution.

Then comes, my Lord, the second question—is there any justification for this demand? The answer is to be found, my Lord, in the words of the very despatch on which were based the recommendations for the annulment of the partition. I hope I may say this without offence that to ignore the promises that were then made in very clear and definite terms, would be very unworthy of the traditions of the British Government. The partition itself was an example of broken pledges and promises. Will it not be said that one broken pledge was followed by another and that on the basis of broken pledges the Government really wanted to raise its new structure of administrative efficiency? I submit, therefore, my Lord, that there is ample justification for your Excellency's Government to locate some of the Government departments at Dacca.

Then, my Lord, comes the third question which I propose to answer—would it be so unprecedented a measure as to be considered fit to be avoided? As to that the very words of the despatch refer to the cases of Lucknow and Poona, and I think we can do no better than refer to the state of things that prevail in the Lieutenant-Governorship of the United Provinces and Oudh and the Governorship of Bombay. Your Excellency will find that in Bombay, although the acknowledged headquarters are at Bombay, there are the following departments permanently located at the second capital, namely, Poona:—The Department of Agriculture, the Department of the Director of Land Records, the Registrar of Co-operative Societies, the Director-General of Archaeological Survey, the Surgeon-General with the Government of Bombay, the Jail Department, the Inspector-General of Prisons, the Inspector-General of Police and the Inspector-General of Registration. I have taken these, my Lord, from the latest directory and I submit them subject of course to correction. We find that the following departments are located at Lucknow:—Director of Land Records, Director of Agriculture, Inspector-General of Civil Hospitals, Inspector-General of Prisons, Inspector-General of Registration and the Sanitary Commissioner. Conditions no doubt vary from province to province and we cannot argue that similar departments may be located at Dacca, but we find that there is a common note running through the distributions of departments both in the Presidency of Bombay and in the Lieutenant-Governorship of the United Provinces and Oudh, viz., that the Government has thought fit to locate departments at the alternative headquarters of Government so as to suit the conveniences of the people and to further the causes of administrative efficiency. I would certainly plead a very bad case if I were compelled to base my request on sentimental grounds only, or on what people call, the feeling of local patriotism. I am prepared to put my case on a higher basis. I claim that the Government departments should be located at Dacca, not merely with a view to satisfy the insistent demands of the people of Eastern Bengal, but because I honestly believe that by the location of some of the departments of Government at Dacca, your Excellency will certainly be promoting the cause of administrative efficiency. I submit therefore that the third question ought to be answered in the negative. That is to say that your Excellency should direct that some of the departments should be located at Dacca. In this connection I may respectfully add that the mention of secondary capitals of Poona and Lucknow was purposely made in order that your Excellency should approximate in your dealings towards Dacca to what His Excellency the Governor of Bombay does towards Poona or His Honour the Lieutenant-Governor does towards Lucknow. I do not believe that by only a couple of

months' stay of your Excellency in this city your Excellency's Government can satisfy the needs and requirements of this part of the Province which would be in accordance with the spirit of the famous despatch. I submit, my Lord, that something more is needed. Your Excellency would like to bring the administrative heads of departments into closer touch with the people. I will show how, by locating some of the departments at Dacca, your Excellency will really be promoting the cause of administrative efficiency. What are the possible departments which can be located at Dacca? I will say that the Registrar of Co-operative Societies should be located at Dacca. When I suggested this on the last occasion, this is what the Hon'ble Mr. Beatson Bell told me as a reply on behalf of Government :—

'We considered the question of locating him outside Calcutta, in some place where co-operative societies are most numerous. At present in Faridpur there are more co-operative societies than in any other part of the province, but this will not always be so. The Midnapore co-operative work is extending rapidly, and it is likely that Western Bengal will soon take widespread advantage of the co-operative movement, just as Eastern Bengal has done.'

I submit, my Lord, that there are two grounds that are urged here—*first* there is no doubt that there is a preponderance of co-operative societies in Eastern Bengal, but in time the Western Bengal societies will also be as numerous as those in Eastern Bengal, I submit that such an argument is wanting in cogency. I submit that we should not base our actions on what is going to be in future but on what the present state of things happens to be. I may mention, for the information of this Council, that the increase of ratio in the number and progress of co-operative societies has been much greater in Eastern Bengal than in Western Bengal, and that within the last three years since these words were spoken by the Hon'ble Mr. Beatson Bell, the Eastern Bengal societies have made much greater strides than we had expected. As a matter of fact, more than 75 per cent. of the societies are situated in the Eastern Bengal Divisions, namely, Dacca, Chittagong and Rajshahi, and a little over 25 per cent. in the Western Bengal Divisions. Of the non-agricultural societies 90 per cent. of them are situated in the Eastern Bengal districts. That alone, if nothing else, is a justification for the location of this department here. The reason that was urged about the creation of a provincial bank is also untenable. In the first place, I do not know when that bank is going to be started, and if the report of the committee on co-operation is acted upon, it will take some time before that bank is established; but taking it for granted that it will be established at an early date, I do not see the necessity for the Registrar being tied down to Calcutta in order to look after it. The bank will be under the control of non-officials, men like Sir R. N. Mukerjee, the authorities of the Bank of Bengal, and some eminent economists and authorities in these matters will be amongst the directors. These men will be more experienced than the Registrar of Co-operative Societies can ordinarily be expected to be, and I do not think any of these men with such business experience will be in the slightest degree hampered without the daily attendance of the Registrar of Co-operative Credit Societies. I am sometimes told that when the Registrar is in Calcutta, money is forthcoming. I do not understand if it is one of the functions of the Registrar to perform the duties of a broker for procuring money for Co-operative Societies. If, my Lord, the co-operative movement, after a full 10 years' experiment in this country and after all the fostering care that Government has bestowed upon it, is not now able to attract capital unless the Registrar can induce the people to lend, then it is not a movement which should be promoted. I think it is time that the movement should be declared a failure. I do not think it is part of the Registrar's functions to be going about from broker to

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broker, from *mahajan* to *mahajan*, from capitalist to capitalist inducing them to lend money to the co-operative societies;—rather than that, we should let societies grow spontaneously on their own merits, not on the recommendations of a Government official. For these reasons I think that the objections urged against the location of the Registrar of Co-operative Credit Societies at Dacca are untenable, and I urge that for administrative efficiency it should be located at Dacca.

I may be told that a Joint-Registrar is going to be appointed, but that will not serve the purpose. I rather think that the Joint-Registrar, if necessary, might be located at Calcutta, but the Registrar and his office should be permanently located at Dacca just as he is in the other subsidiary capitals in India.

Then, my Lord, there is the Department of Education. I do not wish, living now in Calcutta, to suggest that the Director should come down here and make Dacca his headquarters. The Director of Public Instruction is a most obliging official and for personal reasons I should not like to part company with him: he had better be in Calcutta: but I think the Assistant Director of Muhammadan Education might come here and make Dacca his permanent headquarters.

Then, my Lord, we come to the Department of Agriculture. The Hon'ble Mr. Beatson Bell acknowledged that he was quite ready to listen to me sympathetically so far as this department was concerned. He said: 'We may at once say that if he were purely and simply a Director of Agriculture we would move him to-morrow to Dacca. It stands to reason that pure agricultural work can be much better done in the country than in the town, and Dacca is peculiarly suitable for such work. We have got there the chief experimental farm with a fine laboratory and fine buildings, and a large expert staff on the spot. So far as agricultural work is concerned, Dacca would be the most suitable place for the Director of Agriculture, but unfortunately the Director of Agriculture is overweighted with a mass of work which is only indirectly connected with agriculture. I refer to all his statistical work and to the jute and other forecasts, which he has to publish.' Now, with regard to this argument, I have made inquiries and I find that so far as the preparation of jute forecasts is concerned, it is done twice in the year, that is to say, the preliminary jute forecast is made on the 12th July and the final on the 22nd September. I am told that a stay of about three weeks would be quite sufficient for the performance of the Director's duties. Apart from that, your Excellency will consider that during these six years that the Eastern Bengal Government was in existence the Director of Agriculture was permanently located at Dacca. How did business go on then? There is no denying the fact that the principal business of the Director of Agriculture is not the collection of statistics, and I submit that it cannot be argued that the presence of the Director of Agriculture is required for jute forecasts. Such an argument is really not one which can stand for one moment. On the other hand, the exigencies of the administration require that he should be at Dacca, where he will have more work for his department than he can possibly have in Calcutta. Your Excellency will be pleased to order that the Department of Agriculture as it is now constituted should be located at Dacca. As regards sericultural and agricultural firms, they are very numerous in the Eastern Bengal districts and a few only in Birbhum and Murshidabad. Except one, all the experimental agricultural firms are in Eastern Bengal and the headquarters are in Manipur at Dacca.

Then comes the Department of Land Records. There can be no doubt that it is extremely unfair that while settlement operations were going on mainly in Eastern Bengal, the Director was making Calcutta his headquarters. Why should he be removed from the main seat of his operations? If there is any meaning in the phrase 'administrative efficiency' then it is very

desirable that the Director of Land Records should have been all the year round at Dacca.

Then there is the Sanitary Commissioner. It is said that the Eastern Bengal districts are most insanitary, but I do not know if the charge is true."

[At this stage the bell rang as the Hon'ble Member had reached the time-limit.]

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"Will your Excellency kindly allow me a few minutes more to conclude my remarks."

The President said :—

"If the Hon'ble Member will conclude his remarks only on this head I have no objection."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ continuing said :—

"The sanitary conditions of Dacca are none of the best and I submit that in order to look after the sanitary conditions of the eastern capital the Sanitary Commissioner ought to have his headquarters at Dacca."

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord, I have great pleasure in supporting the resolution as it stands and which has been moved by my hon'ble friend Maulvi Fazl-ul-Haq. He said that he suspected that the members from Western Bengal would look with suspicion on his resolution for, if it is carried, the glory of Calcutta would be lost. If Calcutta has not lost its splendour by the removal of the capital, it is not likely that she would be deprived of her glory by the removal of some particular departments to Dacca, and I think I can say without fear of contradiction, that we people of Western Bengal—and I represent the westernmost part of the Province—do not at all object to some of the departments of Government going to Dacca. But I take exception to his proposal of removing the Assistant Director for Muhammadan Education to Dacca. I think that in the interests of the Eastern Bengal Muhammadans themselves, the Assistant Director should be in the same building and in the same place as the Director of Public Instruction, because he has his recommendations given effect to by the Director himself. And this would prove very difficult if the Assistant Director's office is located in Dacca. With this exception, I support everything that has fallen from the Hon'ble Maulvi Fazl-ul-Haq."

The Hon'ble Mr. AMINUR RAHMAN said :—

"My Lord, I have great aversion to the dislocation of a department from one central place as it often leads to unnecessary embarrassment and destroys the solidarity of a system. There are enormous advantages in keeping the machinery of government in a compact form as it generally exists everywhere. If the argument is once accepted that a department should be located at a place where it has been most useful or most active, then we must look forward to the day when the various departments are scattered all over the Province and are made to work in isolation. We shall have to urge on that principle that the Police Department be transferred to the most criminal district, the Department of Public Health to the most unhealthy, district, and so on. That would obviously be a most impossible situation. I do not wish to suggest

Mr. Aminur Rahman ; Rai Debender Chunder Ghose Bahadur ; and Mr. Beatson Bell.

that my hon'ble friend is prepared to go so far. He has confined his criticisms to two or three departments and he thinks that the Department of Co-operative Societies should be located in Dacca. I am as anxious as anybody to give this city that position of eminence and importance which it had once before. But my friend does not urge this change on sentimental grounds. He insists that this is the proper sphere of the activities of this department and what is more, that it cannot work well where it is. I would be in full agreement with my hon'ble friend if he had said that about the Department of Fisheries. There is no earthly reason why that department of all departments should be located at Kurseong. The Government will be well advised to take immediate steps to bring it nearer home. But I confess I am not in a position to follow my hon'ble friend when he suggests that the Department of Co-operative Societies should be brought to Dacca. It may be that the bulk of the Societies are in Eastern Bengal. It is also true that in Eastern Bengal there are very important centres of home industries. But we also know that these Societies have multiplied and are daily growing more prosperous in spite of the fact that the department was located in Calcutta. This only proves that there is something more than the mere location of a department in a certain place that ensures the success of a scheme. There are two very important considerations why the Department of Co-operative Societies should be located at Calcutta. The enormous sum of money that the late Registrar of Co-operative Societies was able to raise could not, I believe, be raised in any other place except in Calcutta. Calcutta is pre-eminently the place where capital can be raised for such work. The second consideration is that Dacca is not easily accessible from all parts of Eastern Bengal. It is true, as I have already admitted, that there are important centres of home industries in Eastern Bengal. But a district like Rangpur, for instance, is more easily accessible from Calcutta than from Dacca. I would have no objection to support my hon'ble friend's resolution if he could show that the advantages accruing from such a change as he suggests far outweighed those that we derived from the present arrangement. I have a feeling that after all the declarations that have been made by my hon'ble friend—he has not made the most important declaration—that he suggests the change on sentimental grounds. I do not think the Government should undertake the change without serious consideration."

The Hon'ble Rai Debender Chunder Ghose Bahader said :—

"After the exhaustive statement made by the Hon'ble Maulvi Fazl-ul-Haq, I do not propose to occupy the time of the Council by any lengthy observations. I have much pleasure in supporting his proposal and I think that Maulvi Fazl-ul-Haq made out a strong case for the location of some of the minor departments of the Government at Dacca. Leaving aside the question of cost I think it stands to reason that the Inspector-General of Registration, the Registrar of Co-operative Credit Societies and the Director of Agriculture should have their offices at Dacca. As for the Sanitary Commissioner's Office, I am not in a position to say anything."

The Hon'ble Mr. Beatson Bell said :—

"My Lord, As the mover has pointed out, we went over this very subject in this room three years ago.

Once more we have been lightly accused of breaking pledges. As the Hon'ble Member knows perfectly well, no pledge was ever given that any department would be located at Dacca. It was deliberately left to the discretion of the Governor in Council whether he should or should not locate some departments at Dacca. That was one of the first questions which was

Mr. Beatson Bell.

considered when Lord Carmichael came to this province. It was considered with a perfectly open mind. Lord Carmichael consulted every class of the community, officials and non-officials. It was not until the subject had been weighed in the most careful manner that it was decided that no department should be transferred to Dacca. I freely confess that at one time my local patriotism got the better of my administrative common-sense. At one time I did support the proposal that certain departments should be located at Dacca. I have honestly changed my opinion and I am not ashamed to admit it. The more one sees of the inner working of Government the more difficult does it become to entertain any idea of separating the heads of the departments from the corresponding branch of the Secretariat, and from the Member who is in control of the work. It is not seriously contended that one of the Members should make Dacca his permanent headquarters. Apart from our tours we must stick together, for after all we are a Council Government and must hold our Council meetings. Obviously, then, all the Members must have their head-quarters at Calcutta; and if the heads of the departments are to be in real touch with their Members their headquarters must also be at Calcutta. That is our case in a nutshell. If any one wants to separate the head of a department from his member the burden of proof is on him, not on us. Three years ago and again to-day, I have anxiously listened for any solid argument as to why the head of any department should be at some place other than the headquarters of Government. Certain phrases have, of course, been used, but they get us no further forward. For example, the Hon'ble Maulvi Fazl-ul Huq has said that the separation would 'promote administrative efficiency.' In what way will the efficiency of the administration be improved? Is it seriously suggested that the change will bring the heads of departments into closer touch with the people? The Hon'ble Member has been a Government servant. He knows perfectly well how the heads of departments spend their time. He has constantly met me and other heads of departments doing our work in the villages. How would our work have been better, how would our intercourse with the people have been more cordial, if on leaving them we had gone back to one place rather than another for a spell of desk-work? We want facts, not phrases. And facts are exactly what the Hon'ble mover has not given us.

The Hon'ble Member, after shrouding the main question in a mist of generalities, proceeded to particular departments, very much as he did three years ago. Again, I am afraid, no new arguments have been adduced. On this occasion, however, he has practically given up his contention as regards most of the departments and has confined his proposal to the Registrar of Co-operative Societies, the Director of Land Records, the Director of Agriculture and the Sanitary Commissioner.

As regards the Registrar of Co-operative Societies, we remain practically where we were three years ago. It is true that the number of co-operative societies is greater in Eastern Bengal than in Western Bengal, but it is still equally true that the needs of Western Bengal are greater and it is the bounden duty of the Registrar to do all he can for Western Bengal. It is a ludicrous travesty of facts to say that the Registrar is tied down to Calcutta. The Hon'ble mover was himself in that department for several years and he knows as well as I do that the Registrar is constantly on tour not only at district and subdivisional headquarters, but out in remote villages. As regards the suggestion that the Registrar should be removed from Calcutta to prevent him from setting up as a broker whose function is to entice capital from reluctant *mahajans*, the Hon'ble Member again knows as well as I do that the picture which he draws is not based on fact. Far from having to entice capital, capital comes flowing to the Registrar. When he returns to Calcutta from his tours in the villages one of his chief duties is to interview the capitalists who flock to his office and press money upon him. As yet we

have no Provincial Bank, but these capitalists, who are mainly Calcutta men, practically take the place of the Provincial Bank. It is of very great importance that the Registrar should be in touch with them. I may mention that these capitalists have already deposited in Central Banks, through the medium of the Registrar, more than 22 lakhs of rupees. But after all the essential argument in this, as in all other departments, is that the Registrar should be in touch with the Member. I have now been in charge for several years and I look back with great satisfaction to the hours when Mr. Mitra and I had informal conferences in my Calcutta office. If Mr. Mitra's headquarters had been in Dacca our conferences would have been fewer and our work would have been worse.

As regards the Agricultural Department, here also the problem remains very much as we left it three years ago. It is a fact that the chief farm is at Dacca and that the expert staff is at Dacca, but it is also a fact that Western Bengal has been comparatively neglected and that we are trying to do something to forward its interests. It is still a fact that the Director of Agriculture has important duties in connection with statistics, not only in the case of jute but also in the case of rice, sugarcane and numerous other crops. The Director has to supply information to mercantile gentlemen, European and Indian, who come to his office and desire to have the latest reports about the crops. Calcutta is certainly the most convenient place for this work.

As regards the Director of Land Records, it is hardly necessary that I should say anything. The record-of-rights is practically complete in the Dacca Division and is approaching completion in the Chittagong Division. The district of Rajshahi is also far advanced, and the new districts on the tapis are Bankura, Jessore and Nadia. Surely it cannot be argued that the Director of Land Records should now be transplanted to Dacca.

As regards the Sanitary Commissioner, it is perfectly true that Dacca should be a very unhealthy place. As a matter of fact it is quite healthy. But even if it were as unhealthy as it should be, it is also a fact that the sanitary problems in and around Calcutta are just as difficult and just as heart-breaking as those of Dacca, while in the mufassal of Western Bengal the problems of drainage and the problems of malaria are infinitely more difficult and infinitely more heart-breaking than those in this happy and well-drained country of Eastern Bengal.

In fact, take any department you like and place the burden of proof where it should be placed—namely, on those who demand a change—and the result is always the same. The general arguments in favour of a coherent, instead of a ramshackle, Government remain absolutely intact while not a single benefit is indicated which will flow to the people in the villages. In truth, what benefit can possibly come to any villager from the fact that the touring officer who talks to him will return to Ramna instead of to Writers' Buildings? The Hon'ble Member has himself admitted that the parallel from other Governments is really beyond our ken. They may have reasons unknown to us for locating particular officers in particular places. It may even be that they find their present arrangements highly inconvenient. Do let us mind our own business. Our departments are now beside our Government ; we find the arrangement quite convenient, and no valid reason has been adduced for a change. As practical men let us leave well alone."

The Hon'ble Rai Radha Charan Pal Bahadur said:—

"My Lord, it is a great advantage to listen to the official members of this Council when a motion has been moved and after the case has been presented from the point of view of the mover, the Government member should rise and present the views of Government on the subject. This is a procedure which was often followed, so far as I remember, in your predecessor's time. This enabled the non-official members of the Council to consider

Rai Radha Charan Pal Bahadur.

the question from both points of view. To your Excellency we are indebted for calling upon the Hon'ble Sir S. P. Sinha to state the views of Government with reference to the motion of my hon'ble friend Mr. Altaf Ali and the result was that much of the speaking which would have resulted was cut short and the hon'ble member withdrew his motion. This is a suggestion which I submit for your Excellency's consideration.

Now, my Lord, with reference to the motion of my hon'ble friend Maulvi Fazl-ul-Haq. I have listened with great interest to his eloquent speech. He never ceases to mourn over the reunion of Bengal. But, my Lord, although I have followed him with the greatest interest I must say that three-fourths of his speech was more sentimental than substantial. My hon'ble friend nominally belongs to Eastern Bengal, but practically he spends his whole life in Western Bengal. He apprehended that the representatives of Western Bengal would be chary in lending their support to his resolution in the same way as the officials. So far as attendance goes, not a few of the representatives of Eastern Bengal have not attended this meeting, and if this motion is lost I do not think he can blame Western Bengal alone. Then, my Lord, with regard to the subject-matter of this motion, although he has not made out a very good case for the permanent location of some of the heads of departments of your Excellency's Government at Dacca, I think, we can support the transfer of the office of the Registrar of Co-operative Societies. I was looking into the statistics this morning and I found that there are about 1,100 such societies in Eastern Bengal and 500 or so in Western Bengal. At the same time I must say that Western Bengal requires development and I am sure that your Excellency's Government would provide at a not very distant date a Joint-Registrar to serve the interests of either Western and Eastern Bengal. I do not know why my hon'ble friend is anxious that the Joint-Registrar should be located at Calcutta and that the Registrar should be permanently located at Dacca. I believe, my Lord, that both the Registrar and the Joint-Registrar will be officials occupying the same status and the same pay. For my part I do not care whether the Joint-Registrar is at Calcutta or Dacca so long as he exercises the same power and the same functions as the Registrar.

Then, my Lord, my Hon'ble friend has suggested that the departments of Land Records and Agriculture should be permanently located at Dacca. This proposal has been met by the Hon'ble Mr. Beatson Bell. He has shown quite conclusively that there is a greater necessity for retaining those offices in Calcutta than at Dacca, and as far as I follow my friend he has not been able to show by facts and figures what administrative efficiency would be attained by transferring those offices from Calcutta to Dacca.

Then my friend has not touched upon the Fisheries' Department which might be taken into consideration on grounds of efficiency, and, I believe, if this resolution is carried, it might be considered by Government whether that department can be transferred to Dacca.

As regards the Sanitary Department, I am afraid my Hon'ble friend has made out a very weak case in regard to the transfer of that office to Dacca. In Bengal, I mean Western Bengal, the problem of malaria has engaged the attention of Government and the people for nearly half a century, and comparing Eastern Bengal with Western Bengal the latter is decidedly more malaria-striken than the former. I do not think that my Hon'ble friend has seriously urged that the Sanitary Commissioner of Bengal should be transferred to Dacca. I have nothing more to say, my Lord, but, I am sure, that as far as the administrative efficiency is concerned there is great force in the observations of the Hon'ble Mr. Beatson Bell that greater efficiency is obtained by touring amongst the people in the districts and villages than by sitting in official chairs either at Ramna or Writers' Buildings."

Hon'ble Maulvi A. K. Fazl-ul-Haq; Mr. Beatson Bell.

The Hon'ble Maulvi A. K. FAZL-UL-HAQ said :—

"My Lord, I am obliged to my friends from the western part of the Presidency for the very qualified support they have given to my resolution. I thank them for small mercies. In the opinion of the non-official members, I believe, the principle of removal of some of the departments from Calcutta to Dacca is accepted. My real difficulty therefore lies with the members on this side of the House, and that indeed is a real difficulty. I hope, my Lord, I will not cause any offence to anybody—I speak quite freely without meaning to give any offence—that the British people are amongst the most obstinate on the face of the earth. This element of obstinacy is both a source of strength and weakness—I believe, my Lord, that it is owing to this element of obstinacy the British soldier is a terror to his foes; and it is against this British obstinacy, that the enemies of the Empire are at the present moment hurling themselves in vain. But what is virtue under certain circumstances, becomes somewhat objectionable under other circumstances. What is admirable on the battle-field is open to serious objection in the humdrum duty of civic life. In the battlefield you need not yield, and you may be as obstinate as when Napoleon was forced to remark that these English never know when they are beaten. But the administrator, my Lord, should always be open to conviction and he should from time to time try and adapt himself to the point of view of the non-officials and yield us a point or two, to true reason and justice, if not to the clamour of agitation. It has been said that on the present occasion I have not been able to make out a very strong case, I have only attempted to serve up cold broth warmed again. My friend Mr. Aminur Rahman has also said that he has not been convinced by my arguments and both he and the Hon'ble Rai Radha Charan Pal Bahadur have remarked that I have not mentioned some of the departments that I could have mentioned as likely to be considered favourable from the point of view of the location of some departments at Dacca. The only reply that I can give, my Lord, is that the time at my disposal was not enough. I had not even finished half of my speech when the bell rang as a signal for me to sit down. So far as the objections of the Hon'ble Members go, I would only ask them to consider that there is time-limit. I can assure them that if I had more time at my disposal I would have taken each department one by one and I may be able to convince your Excellency, at least so far as some of the departments are concerned, that the time is come when there ought to be a long deferred compliance with the wishes of the people of Eastern Bengal for the location of some of the departments at Dacca. At present, my Lord, after all these departments are gone we are left only with the lunatic asylum at Dacca. I would crave, my Lord, if these departments cannot be located at Dacca there is no particular reason why the lunatic asylum should be in the headquarters of Eastern Bengal. My Lord to come to some of these departments, I really wanted to say something about the Department of Fisheries—your Excellency knows very well by this time that Eastern Bengal is intersected by those magnificent rivers and is certainly the best and most suitable place for carrying on the experiments such as can be done by the officer in charge of the Department of Fisheries. Added to this, your Lordship will consider that the total coast line of Bengal stretches somewhere from Saugor point down to Hatiya fully eighty per cent. of the length would be assigned to Eastern Bengal. So far as the Western Bengal is concerned, beyond some rock strewn and barren lands covered with date trees there is hardly any place which can be suitable for the study of the problems with which the head of the Department of Fisheries is concerned."

The Hon'ble Mr. BEATSON BELL said :—

"The Department of Fisheries is not entirely a Bengal department but is also concerned with the Government of Bihar and Orissa."

Maulvi A. K. Fazl-ul-Haq.

The Hon'ble Maulvi A. K. FAZL-UL-HAQ said:—

"That I hope will not create any difficulty. The officer in charge of Fisheries has really so much work to do if he is made a whole-time officer and located in Eastern Bengal I think we could conveniently put him in Dacca to carry on all the experiments that are necessary. That is matter entirely for your Excellency's Government to consider. We the non-official members would only suggest that is one of the departments which might be located at Dacca and your Excellency would consider also whether under the present circumstances if the fishery officer is removed to Dacca he could be entrusted with other duties without any interference with the efficiency of the work with which he is entrusted.

Then, my Lord, it has been said that in Bengal we have a compact government and that we ought to maintain the compactness intact. I think, my Lord, that Bombay and United Provinces are also compact governments and I fail to see why the forces of cohesion between the several heads of departments of Bengal should be so much stronger than those in the other provinces. I submit that argument does not commend itself very much to reason. Unless it be that the removal of some of the departments really interferes with the administrative efficiency, I submit that the experiment can be tried and without any detriment to the interest of administrative efficiency.

Considering once again that the Department of the Registrar of Co-operative Societies it has been said and remarked by my Hon'ble friend Mr. Aminur Rahman that the societies in Eastern Bengal have flourished in spite of the fact that the Registrar has been away from Dacca. I myself remember, my Lord, when I was Assistant Registrar of the Co-operative Societies in Eastern Bengal that there were tremendous difficulties in the way of giving the movement a good start. It was only because the Registrar happened to be at Dacca in touch with the great centres of activities so far as the movements are concerned, that he could rush about from place to place and take the necessary steps. In spite of our numerous drawbacks we could make a headway in the Eastern Bengal with the working of co-operative societies. I did not mean to say that the Western Bengal Divisions should be neglected, but my suggestion is that with the appointment of a Joint Registrar the Registrar should be at Dacca with his department. So far as the Western Bengal Divisions are concerned, they will be as much under the supervision of the Registrar even if he were located at Dacca. The Joint Registrar might live in Calcutta and come to Eastern Bengal and make tours of inspection and between the tours, the work could be conveniently divided so that it might not suffer. I submit, my Lord, that the solution of the difficulty will be found if the Joint Registrar be located at Calcutta and the Registrar at Dacca. I cannot go into the details because I have not the time to do so.

Then as regards the Director of Agriculture. I hope my argument will be met with the objections that have been urged on behalf of Government. I submit that the burden of proof ought not to be on me. And I submit that as the Hon'ble Member in charge has failed to discharge the onus, the verdict ought to be in my favour. So far as this department is concerned I submit that I have made out a case for the transfer of that officer.

Then, my Lord, there remains the Department of Land Records. I can quite see that the work in Eastern Bengal is going to be finished and it is doubtful whether much good will result if that officer is located at Dacca. But at the same time I would ask your Excellency to consider that department also.

Before I sit down I find that we the non-official members are practically unanimous so far as the Registrar of Co-operative Societies and the head of the department of Agriculture are concerned. I would like not to press my case as far as my resolution goes if your Excellency, to begin with, be pleased to direct that the Registrar of Co-operative Societies and the Fisheries Officer

might be located at Dacca. I think that will meet with the wishes of the non-official members of both Western and Eastern Bengal, and although I find the official opinion is against it the non-official opinion is practically unanimous. With these words I beg to commend this resolution to the acceptance of our Excellency's Council."

The PRESIDENT then put the resolution to the vote. The Hon'ble Maulvi A. K. FAZL-UL-HAQ said :—

In asking for a division I would suggest that the votes of the non-official members of the Council only should be taken. That is what, I believe, the Hon'ble Mr. Beatson Bell suggested on the last occasion. I do not think I will have any chance if the official members are allowed to vote on this occasion.

The PRESIDENT said :—

The Hon'ble Member is not entitled to have what he desires. In the opinion of the Chair there are more noes than ayes, and if the Hon'ble Member differs from that opinion he is entitled to have a division.

A division was then taken with the following result :—

Ayes 13.

The Hon'ble Dr. Niratan Sarkar.
" Mr. Arun Chandra Singh.
" Dr. Deba Prasad Sarbadhikari, C.I.E.
" Rai Debender Chunder Ghose Bahadur.
" Rai Radha Charan Pal Bahadur.
" Dr. Abdulla-al-Mamun Suhrawardy.
" Maulvi Abul Kasem.
" " A. K. Fazl-ul-Haq.
" Mr. Altaf Ali.
" Rai Sri Nath Ray Bahadur.
" Rai Mahendra Chandra Mitra Bahadur.
" Babu Surendra Nath Ray.
" " Kishori Mohan Chaudhuri.

Noes 17.

The Hon'ble Mr. N. D. Beatson Bell, C.S.I., C.I.E.
" Sir Henry Wheeler, K.C.I.E., C.S.I.
" " S. P. Sinha, Kt.
" Surgeon General W. R. Edwards, C.B., C.M.G.
" Mr. C. J. Stevenson Moore, C.V.O.
" " J. H. Kerr, C.S.I., C.I.E.
" " J. G. Cumming, C.S., C.I.E.
" " J. Donald.
" " F. A. A. Cowley.
" " C. H. Bompas.
" " W. W. Hornell.
" " S. W. Goode.
" " E. B. H. Panton.
" Rai Priya Nath Mukharji Bahadur, I.S.O.
" Mr. J. Mackenzie.
" " Ammin Rahman.
" " F. W. Carter, C.I.E.

The following members were absent :—

Hon'ble Mr. B. C. Mitra.
" the Nawab Bahadur of Murshidabad.
" Sir Rajendra Nath Mookerjee, K.C.I.E.
" Mr. W. H. H. Arden-Wood, C.I.E.
" Raja Hrishikesh Laha, C.I.E.
" Mr. R. Glen.
" " Provash Chunder Mitter.
" the Maharajadhiraja Bahadur of Burdwan.
" Kumar Shib Shekhareswar Ray.
" Babu Brojendra Kishor Ray Chaudhuri.
The Hon'ble Sir A. Birkmyre, Kt.
" Mr. E. B. Eden.
" " E. A. Martin.
" " H. R. A. Irwin.
" " M. Ashraf Ali Khan Chaudhuri.
" Babu Bhabendra Chandra Ray.
" " Akhil Chandra Datta.
" " Mahendra Nath Ray, C.I.E.
" Mr. K. B. Datta.
" Babu Ambika Charan Mazumdar.

The ayes being 13 and the noes 17, the motion was lost.

LIST OF BUSINESS—ITEMS Nos. 5 & 6.

The HON'BLE MAULVI A. K. FAZL-UL-HAQ moved the following resolution :—

This Council recommends to the Governor in Council that Madrassahs, of the type of those at Dacca and Chittagong, be established at all district head-quarters in districts where the Muhammadan population exceeds thirty per cent.

He said :—

"In moving this resolution I do not think I need say very many words. As your Excellency's Government is well aware there are now two classes of

madrassahs known as the old type and new type. The old type madrassahs are those of which the Calcutta madrassah is a specimen and the new type madrassahs are those that are now at Chittagong and Dacca. It is, so far as I am aware, the opinion of the Muhammadan leaders that the old type madrassahs are entirely out of date and that it would be a waste of public money to perpetuate them. There are certain obvious advantages in the madrassahs of the new type and it is on account of these obvious advantages that I respectfully submit to your Excellency's Government that some more of these madrassahs should be established in Bengal. As your Excellency is well aware, the Muhammadan community is doing very well in so far as the elementary stages of education are concerned and that it is not in these stages that, as it is often said, the percentage of Muhammadan students is falling off. The reason is that the difficulty in the way of Mussalman students begins after he has gone through the elementary course of education: as he goes higher up he meets with obstacles in his way and the reason for that is that he is generally poorer than brother students of other communities and, secondly, there are certain other obstacles which stand in his way more than in the way of those of other communities. One way in which we can effectively further the cause of Muhammadan education is by an increase, to begin with, in the number of institutions approximating to the type of secondary schools. The madrassahs that I recommend will have the double advantage of leading up these boys to Colleges, as also of imparting to them a thorough grounding in their own classics so as to lay the basis for a type of education in which the best that is in the East and the West will be intermingled and happily blended.

The madrassahs of the present type do not merely give the students education according to the requirements of the University, but they also give them a thorough grounding in most of the classics. It is therefore desirable to have this type of institutions in every part of the Province and I urge strongly that where Government is able to provide funds efforts will be made to organise the institutions of this kind. So far as the Muhammadan community is concerned, poverty stands in their way, and it will be a real boon to the community if some of these madrassahs were established in this Presidency. I myself feel that I have asked a little too much in suggesting that such madrassahs should be established at all district headquarters where the population exceeds 30 per cent. That would include the vast majority of districts. So far as this resolution is concerned, there is an amendment suggested by the Hon'ble Maulvi Abul Kasem and if I am permitted, I would endorse the amendment so that the resolution which I have suggested may be read along with the amendment. I do not wish to take up the time of this Council, but so far as this resolution is concerned it is a matter which concerns my own community and is not likely to interest others, although I know they are in entire sympathy with any movement which deals with the cause of Muhammadan education. With these few words I would commend this resolution to the acceptance of this Council."

The Hon'ble MAULVI ABUL KASEM moved by way of amendment that, in the Resolution (Item No. 5) moved by the Hon'ble Maulvi A. K. Fazl-ul-Haq, for the words "where the Muhammadan population exceeds thirty per cent.", the following be substituted, namely:—

> "where the Muhammadan Community think it necessary and where an adequate number of Muhammadan students would be available."

He said:—

"My Lord, as has just been remarked by my Hon'ble friend Maulvi Faz-ul-Haq I have been prompted to give notice of this amendment because i thought that the resolution asks for too much. Senior madrassahs like the

ones at Dacca and Chittagong require an adequate number of students and I do not know whether they will be available at all centres or not. I admit that there is a great want of these institutions in certain parts of the Province and it is certainly necessary that there ought to be more than two or three as at present exist. But at the same time, although personally speaking, I agree with him that the old madrassahs such as the Calcutta Madrassah are not very useful institutions for Mussalman education suited to the present time, but there is a large body of opinion and a large number of sensible Muhammadans who think that institutions like the Calcutta Madrassah should also exist for the education of those Muhammadans who want a purely religious instruction and their numbers would not be diminished and that there ought to be an increase, as there are classes of people who would not like the idea of these new institutions rising up in their neighbourhood because that would interfere with some of the old type of madrassahs. In the second place my friend's resolution is limited in one sense because it practically excludes the whole of the Burdwan Division and includes the rest of the Province. I think that wherever the Muhammadans think it necessary, by which I mean where there is a demand on the part of Muhammadans to have their education in madrassahs of this type and a sufficient number of students would be available, an attempt should be made to establish these madrassahs in larger numbers to impart this sort of education.

I might say that we have in conferences and other public organizations suggested these very reforms to the Director of Public Instruction and we think that they will to a very great extent satisfy the needs of Mussalman education according to modern times. With these few words I do hope and trust that the resolution as amended will be acceptable to this Council."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, I wish it were possible for me to accept this resolution on behalf of Government. I need hardly assure my friends that with their desire for the promotion and advancement of education amongst my Muhammadan countrymen I have the most cordial sympathy and if I am unable to pledge Government, of which I am a member, to this resolution it is principally because of the lack of funds available. But I cannot let this opportunity pass without reminding my Hon'ble friends of what Government has already done and is going to do with regard to the improvement of *madrassahs*. I do not know if all the Hon'ble Members are familiar with the history of what has been called the old type of *madrassahs* and reformed *madrassahs*. I did not know this myself until I saw this particular resolution, and therefore perhaps it would be just as well if in a few words I tell the Hon'ble Members what that is. This reformed scheme came into existence only a very few years ago and the main features of the reformed scheme are the omission of Persian as one of the languages which was compulsory and the inclusion of English as a compulsory subject. These are the outstanding features. It was considered that if the Muhammadan boys had to learn all five languages which it was desirable in many senses that they should, namely, Bengali, Urdu, Arabic, Persian and English—the latter being indispensable for the every day work of life— it would be too much of a strain on boys and the choice was between omitting Urdu or Persian ; and the Government of Bengal, somewhat regretfully, agreed to omit Persian and to make English absolutely compulsory. That is the reformed scheme, and the object of it was that the reformed course—I am reading from the resolution of the 31st July, 1914—should be regarded as preparatory to the Islamic studies of the Dacca University. It is, however, complete in itself and students from *madrassahs*, who wish to take up the University course, will not find themselves hopelessly handicapped by reason of their being taught in the *madrassahs* as was previously the case. When the

two *madrassahs* in Dacca and Chittagong were started many years ago—I will go so far back as April, 1873—they were established, and the expenditure with regard to them was met from the annual income of the Mohsin Fund. But in 1914 the Government decided and published a resolution accordingly that the Mohsin Fund should be set free so far as the maintenance of these *madrassahs* was concerned and that the provincial revenues should be debited with the cost of maintenance of these *madrassahs*. This is not an inconsiderable sum, because the reformed *madrassahs* cost Rs. 1,720 a month or Rs. 20,640 per annum. The whole of that instead of being debited to the Mohsin Fund, as before, is paid out of provincial revenues. It is somewhat of a relaxation of the principle that was laid down in 1873 that provincial revenues ought not to be debited with the cost of schools, *madrassahs* or *maktabs* or *pathsalas* attended by particular sects. That is the policy which was laid down as early as 1873. But having regard to the state of education amongst the Muhammadans, it was decided by Government that they should spend this additional sum of Rs. 20,640 on these two *madrassahs*. That is not all the help that the Government has given for the purpose of furthering Muhammadan schools. There are, I think, altogether six senior *madrassahs* which receive aid from Government and there are 87 junior *madrassahs* which are also in receipt of it from Government and 18 model *madrassahs* also, and for this purpose there is set apart annually a sum of Rs. 25,000; at any rate, that was the sum set apart last year, so that over and above the amount spent on the maintenance of the two *madrassahs* there is besides the sum of Rs. 25,000 another sum of Rs. 62,000 which is spent on Muhammadan education exclusively under the resolution of the 31st July, 1914, so that we have a sum of about Rs. 1,09,000 which is annually spent for the special and exclusive purpose of aiding Muhammadan schools. I hope the House will realise that that is not an inconsiderable amount to pay for the special purpose, having regard to the policy that was laid down in 1873.

I would also point out to Hon'ble Members that under the resolution of July, 1914, there is a much larger sum which is intended to be worked up to in addition to the sums already spent, and having regard to the present financial stringency, apart from any further relaxation of the principle laid down in 1873, it will be impossible to accept my friend's resolution. But the resolution, he admits himself, is somewhat too extravagant. There are already two senior *madrassahs* of the reformed type at Dacca and Chittagong. If the original resolution of my friend Mr. Fazl-ul-Haq was to be given effect to—there are 15 more districts where the population of Muhammadans is 30 per cent. or more, and, therefore, there would have to be 15 more *madrassahs* of that type which would mean considerable expenditure. Apart from the capital grant necessary for building of schools which would be very considerable—there would be a recurring expenditure of over three lakhs of rupees necessary for the maintenance of these schools, I think myself my friend Hon'ble Mr. Kasem's amendment is really wider than the Hon'ble Mr. Fazl-ul-Haq's, because it says where the Muhammadans of any particular place like they can ask for senior and reformed *madrassahs* of this type which might of course mean that we will have to do it in every possible district, in which case the cost will be very much larger. I think that is absolutely impossible for us to undertake. May I remind my friend of the committee which sat in 1914 and of which he was himself a member and which made 197 recommendations, but this was not one of them, and the only recommendation of this character that was made by that committee was that there should be one *madrassah* of this type in every division, and the Rajshahi junior *madrassah* should be made a senior one. My friend was one of the member of that committee and he subscribed himself to that report. The recommendation was not made because it was impossible to concede to the demand, for the reasons I have stated above. It is for my Hon'ble friends to say whether they will press this motion."

Maulvi A. K. Fazl-ul-Haq.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, I freely admit that there is much force in the arguments that have been put forward by the Hon'ble Member on behalf of Government in replying to my resolution. I also freely admit that the cause of Muhammadan education will not suffer for want of sympathy, judging at any rate from past results. But if the Hon'ble Member on behalf of Government reads out the list of what has been done, I will join issue with him and I would ask your Excellency's leave to point out what could have been done and has not been done. But I do not propose to do so because there will be time enough to do that when this particular question comes up for discussion. I do not also, as at present advised, wish to enter into unnecessary controversy because I have found out what all controversies lead to. It is much better to be thankful for small mercies and go on asking for more, not in a spirit of hostile criticism, but in a spirit of perfect friendliness. So far as the diversion of the funds for Muhammadan education and the sum of money for the maintenance of madrassahs are concerned, I am indeed deeply thankful to Government. It has been said that a large amount of money is being spent for the award of scholarships and for other purposes. But it is not a very big amount and I always thought, in considering the budget allotment every year, that a much larger amount might be devoted for the purpose of Muhammadan education than is being done at the present moment. There are administrative problems about which there is sometimes a difference of opinion between member and member, but so far as the subject of Muhammadan education is concerned, members of all communities and classes are unanimous in thinking that special facilities should be given to Muhammadans in order to foster the cause of Muhammadan education. On a matter like this, where there is such an unanimity of opinion, I think Government may very well spend a little more than is being done at the present moment in order to satisfy the insistent demands of my community. It is true that I was one of the members of the committee which was appointed to consider some of the problems of Muhammadan education and that the present recommendation was not a part of my recommendation in that committee. I had to yield in that committee to the opinion of the majority and although I was even at that time of opinion that more madrassahs than there are in each headquarters should be established in this Presidency, my views at that moment were not strong enough to induce me to differ from my colleagues of the committee. I did not like to raise a discordant note at that moment on a matter on which my views were not sufficiently strong, but since the publication of their report I have considered the question and I feel that there is a growing demand on the part of my community that there should be more madrassahs than one and one each at the headquarters of each Division. I myself admit that it will be a costly affair to locate 15 such madrassahs at once and it would land Government in a most ambitious undertaking and it will not be advisable to do so during the present financial stringency. I therefore, before sitting down, beg to say that I am prepared to withdraw my resolution because I know that this particular matter is safe, so long as it is in the hands of the Hon'ble Member who has replied on behalf of the Government, and it cannot be in worthier hands both from the point of view of my own community and the community at large; but at the same time I would respectfully ask him to consider if, while it is not possible to give us all the 15 madrassahs at once, a beginning could not be made with one or two in selected headquarters so that the growing needs of the community may be alleviated to a certain extent. I only press this point because when this matter comes up for consideration before the Hon'ble Member he might think that the time has come when, without detriment to the requirements of other interests, it may be urged upon the attention of Government, so that a beginning might be made by the establishment of some more madrassahs of the type we have got at Dacca. With these few words, my Lord, I wish to withdraw my resolution."

Maulvi A. K. Fazl-ul-Haq; the President.

The resolution, with its amendment, were then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEMS Nos. 7 & 8.

The following resolution stood in the name of the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

This Council recommends to the Governor in Council that early steps be taken for the establishment of an Agricultural College for Bengal, and that the said College be located at Dacca.

He said :—

"My Lord, it is desirable that this question should be further considered by us and if your Excellency permits, the consideration of this question may stand over for the sitting of this Council at Calcutta. I make this request and it also meets with the wishes of the other non-official members of this Council and I would pray for leave that the consideration of this resolution be postponed."

The PRESIDENT said :—

"I am not convinced that the grounds on which a postponement is asked are sufficient."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, the question raises a very important issue so far as the Eastern Bengal districts are concerned and we wish to have more time to consider it. I and my other non-official friends wish to be more fully prepared for a fuller discussion of the question in a much larger house than we have at the present moment. So I have been asked by my friends to ask your Excellency to have the discussion of this resolution postponed."

The PRESIDENT said :—

"The Hon'ble Member has raised a point of some importance. I think it desirable that I should say that I should not consider the mere fact of non-attendance of members at a Council meeting an adequate reason for consenting to postpone a motion which had been admitted for discussion. Hon'ble Members will see for themselves that if I was to allow that as a precedent our discussions would become a farce because all that an Hon'ble Member would have to do would be to put down a motion; he would then wait and when he had a majority on the Council he would bring it up for discussion, but when he saw that he had not a majority he would ask for a postponement and that process might go on from Council to Council interminably. So that I am not prepared to accept the mere fact of Hon'ble Members not attending the Council in large numbers as adequate ground for consenting to postpone a motion. But the Hon'ble Member has given me a loophole in this case by suggesting another ground on which he desires to ask me to have this motion postponed. He says that he has not had an opportunity—or at any rate if the motion is postponed he will have a better opportunity—of obtaining important materials on which to base his discussion. On this occasion I am prepared to accept his reason for assenting to his request that this motion should be postponed as adequate. But I think at the same time I should make it clear that I am stretching the rules to their limit in allowing a postponement. I hope that Hon'ble Members will understand that this should not be regarded as a precedent to be followed in future."

The discussion of the resolution was accordingly postponed to the next meeting of the Council.

Maulvi A. K. Fazl-ul-Haq.

The following item of business was similarly postponed :—

The Hon'ble BABU SURENDRA NATH RAY to move by way of amendment that, in the resolution (Item No. 7) to be moved by the Hon'ble Maulvi A. K. Fazl-ul-Haq, for the words "and that the said College be located at Dacca", the following be substituted, namely :—

"and that a Committee be formed of official and non-official members, principally of experts, to select a suitable site for the location of the College".

LIST OF BUSINESS—ITEM No. 9.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ moved the following resolution :—

This Council recommends to the Governor in Council that Government do undertake the duty of defending all undefended accused persons in cases under section 302 of the Indian Penal Code by retaining the services of a lawyer not less in eminence to the Crown Prosecutor.

He said :—

"My Lord, in moving this resolution I am sure I am not suggesting anything that is either unfamiliar or unprecedented. I believe so far as this practice is concerned, whenever there are accused persons charged under section 302, Indian Penal Code, the Judges do ask the members of the legal profession to undertake the defence of such undefended persons. Sometimes it happens however that when a request is made somebody for some reason or other may not like to accept the task of defending an accused. I have known instances in which prisoners have gone absolutely undefended with the result that the trial ended in conviction, and the extreme penalty under the law was imposed on the accused. When the case came up before the Judges of the High Court, the Judges after scanning the materials would not come to a different conclusion from that arrived at in the Court below. There is one case which happened recently. I would not mention the names of the accused or the pleader, as I believe the matter is still under consideration for mercy, in which the prisoner went absolutely undefended and the capital sentence was passed. I happened to be present in the Court of the District Judge at the time, and after sentence was passed, the accused appealed to me to take up his case in the High Court. I did not know what his case was, but I accepted the *vakalatnama* which I filed in the High Court. When I read the paper-book, I found that it was a case in which there were ample materials for cross-examination of the prosecution witnesses. The accused was undefended till the last moment when the Sessions Judge asked one of the pleaders to take up the case, but it was too late for him to deal properly with the case. In consequence of the scanty materials at my disposal, I could not, however, induce their lordships of the High Court to allow the appeal; but I made an earnest appeal to their lordships for mercy. Even that has been rejected; but so far as the materials before the Judges were concerned, they could not see their way to accept the appeal. In some cases the services of lawyers are secured for the defence of accused persons, but in others although an attempt is made to do so, the attempt does not succeed by reason of the fact that no lawyer is forthcoming. One of the reasons is that the members of the legal profession, like members of other professions, always like to have their pockets filled before they take up any work. It is for this reason, I respectfully submit that in all cases in which the accused either from poverty or other causes is unable to provide for a lawyer to defend him, Government should set apart some money for the purpose. I think that at the most there are about 30 cases on an average, and it would not cost more than Rs. 2,000

or Rs. 3,000 annually. There is no difficulty from the financial point of view to provide this money, and I believe that I have made out a very strong case. With these few words, I would commend this resolution for the acceptance of the Council."

The Hon'ble BABU SURENDRA NATH RAY moved the following amendment, namely :—

That for the words "a lawyer not less in eminence to the Crown Prosecutor" the following be substituted :—

"a competent lawyer or a lawyer to be nominated by the Court."

He said :—

"My Lord, the principal portion of the resolution has my hearty support, but I cannot give my support to the Resolution as it stands. That the much-maligned class of people—the lawyers—are useful in the administration of justice admits of no doubt. I would like to cite only one instance which happened in the High Court about 5 or 6 years ago. A petition of appeal had been sent by a prisoner from jail. There was at first no one to represent his case in the High Court. The learned Judge of the High Court, Mr. Justice Pratt was one of the Judges, went through the records of the case in his Chambers and was about to deliver judgment in the case dismissing the appeal when my friend Babu Atulya Charan Bose asked the permission of the Judge to argue the appeal on behalf of the prisoner as he had just been instructed to appear for them. The result was that the conviction was set aside and the prisoner was discharged. The prisoner, I think, was sentenced to 5 or 6 years' rigorous imprisonment. The unfortunate man would have been obliged to serve out an imprisonment for 5 or 6 years if no lawyer had argued his case. My Hon'ble friend has said to-day in this Council that the British people are very obstinate. But the instance which I have cited clearly shows that the British people are open to conviction and will change their opinion if a proper case is made out. Only you have to make out a proper case. The judicial mind of Mr. Justice Pratt was convinced by the case made out by the learned vakil for the appellant and he set aside the conviction immediately and did not stick to his former judgment upholding the conviction. There is another important reason why the prisoner should not go undefended. Formerly, I mean about 10 or 12 years ago, pleaders used to be appointed as jurors. A trained lawyer can always sift the evidence. From my own personal experience I can state that in a number of cases these lawyer-jurors served the part of defence Counsel. They sifted the evidence in several instances and brought out the real facts of the case. Now under a Government circular the pleaders are no longer appointed as jurors. The accused in Sessions Courts do not get that help which they used to get before in many instances. The man charged with murder, whose life is trembling in the balance, ought not to be undefended. In the High Court Sessions the presiding Judge appoints a Counsel to defend the accused and the Counsel is paid by the Crown. Why should not the same privilege be extended to those who are tried in the mofussil Sessions Courts? I am told that in the United Provinces the accused gets that benefit. As, however, I have already said I cannot support my friend's resolution of the accused being defended by a Counsel of equal eminence to that of the Crown Prosecutor. This will be asking too much of the Government. It is an impracticable suggestion. I shall cite one instance to show how very impracticable the suggestion is. In the case of Charu Chunder Bose who was prosecuted for the murder of the Government Prosecutor, the late Babu Ashutosh Biswas, my esteemed friend Sir S. P. Sinha, who was then Advocate-General, prosecuted. The

accused, I think, was undefended. According to my friend's resolution a man of equal eminence to that of the Advocate-General in criminal cases would probably have been Mr. Jackson. Would the Government have been prepared to spend 100 gold mohurs per diem to defend the accused, and bring down Counsel from the High Court? Why, if the resolution of my friend be carried, all persons accused of murder, whatever his means may be, would never think of engaging a lawyer to defend him because he knew that he would be defended by a lawyer of equal eminence to that of the Government Prosecutor. Would it be reasonable to ask Government to incur that expense? We can always depend upon the Sessions Judge to appoint a competent lawyer to defend the accused if the appointment is left to him."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, I am rather surprised that both my learned friends seem to be labouring under a misapprehension as regards the existing practice. Listening to them one would think that at present it is not the practice for Government to make any provision in its budget for the purpose of providing counsel for undefended accused in murder cases. The contrary is the fact and has been so from at least May 1910, that is to say, for the last 7 years. Under a circular letter of the Government of Bengal, in its Judicial Department, provision is made for the defence of accused in cases under section 302, I. P. C., where the accused are unable to engage counsel for the purpose of defending them at the sessions. Last year's budget, I think, will show that there was a provision of Rs. 5,000 made for the purpose and I believe it is made every year. I think my Hon'ble friends have forgotten the rule which is laid down in this circular and I will trace the history of the matter in a few words.

This circular letter was issued on the 21st May, 1910, from the Government of Bengal to all Commissioners of Divisions, District and Sessions Judges, the Judicial Commissioner of Chota Nagpur and the Chief Presidency Magistrate, Calcutta. It runs thus :—

'I am directed to inform you that His Honour the Lieutenant-Governor has, after consultation with the Hon'ble Judges of the High Court, decided that the defence of persons without pecuniary means who are charged with murder should, in certain cases, be undertaken at the expense of Government.'

I do not suppose that my learned friends desire that people who are able to defend themselves or to pay for their defence, should be compelled to take Government aid for the purpose. The circular also says :—

'The concession should be applied only to cases in which (*i*) the nature of the defence, as disclosed, is such that in the interests of justice the prisoner should have legal aid to make his defence to the charge of murder clear; and (*ii*) the prisoner's means are not sufficient to enable him to obtain sufficient legal aid. If the Committing Magistrate considers a case to be of this character, he should without delay report it to the District Magistrate, with a recommendation that assistance should be rendered to the accused. The District Magistrate may thereupon, if he agrees with the Committing Magistrate, engage a counsel or a pleader to conduct the defence at the Sessions trial, and arrange for such facilities as will enable the accused to instruct the counsel or pleader engaged. The pleader selected should be of sufficient standing and ability to render substantial legal assistance.'

There is no practical test for weighing the abilities of pleaders, and I think that the comparison which was drawn by my Hon'ble friend would probably be resented by Mr. Jackson. It would also be placing on the

District Judge a most invidious task to decide as to who is as efficient as the Government pleader. Government has, I submit, followed a course that is practical and treasonable, namely, that the pleader or counsel selected should be of sufficient standing and ability to render substantial assistance. 'The fee allowed should ordinarily be a fee for the whole case and not a daily fee. The arrangement made will in each case require the sanction of the Superintendent and Remembrancer of Legal Affairs.'

Now, there are two conditions which are laid down—first, that the person must be so situated that he is unable to defend himself or to engage a counsel for his own defence; and secondly, that the nature of the defence as disclosed should be such that in the interests of justice the prisoner should have legal aid to make his defence to the charge of murder clear. It might be said that the latter condition about the nature of the defence makes it difficult for prisoners, but as a matter of fact it is taken bodily and in so many words from the Poor Prisoners' Defence Act of England of the year 1903, and as explained by the Lord Chief Justice (Lord Alverston) there need be only an indication of what the defence is. In the language of the Chief Justice which is adopted here it must either be disclosed in cross-examination or by the nature of the statements made by the accused or anything he said in the course of investigation, and it is the duty of the Magistrate to go into these for the purpose of finding out whether there is a plausible defence in the case, and if he finds that out, it is his duty to report that at once to the District Magistrate who in communication with the Legal Remembrancer will get the funds for the purpose. The resolution says that the pleader or counsel must be of sufficient standing to render substantial assistance. My friends know that sometimes lawyers by their cross-examination get a man hanged who might otherwise go off. The matter has been amply provided for during the last seven years. The system has been universally in operation in all the districts. The conditions as to the nature of the defence disclosed before the Committing Magistrate, and as regards the fee to be paid which is not to be a daily fee were laid down on the recommendation of the High Court. They were not laid down at the instance of the local Government. I think, as a matter of fact, the practice that is followed is exactly what my learned friend wants it to be, with the exception of weighing the relative merits of the pleader for the accused and the public prosecutor.

My Hon'ble friend, Maulvi Fazl-ul-Haq, mentioned the case of a man who was undefended at Faridpur and who on appeal was defended by him. I know perfectly well what that case was as I have gone through the records in considering the question of penalty. My friend will probably remember what happened in that case. A counsel was, as a matter of fact, assigned, but the accused persistently refused to have anything to do with him. I think the practice that has been followed is essentially such as my friend would like it to be. It has been followed for the last seven years and money is being paid for the purpose. To accept the resolution in the form in which my friend has moved it, will make the position much worse, and the amendment which the Hon'ble Babu S. N. Roy has suggested is already the existing practice."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, if I am under any misapprehension as to the existing practice I beg to say that the Hon'ble Member who replied on behalf of Government is also under the same misapprehension as to the existing conditions. It is a fact, my Lord, that in spite of the circular to which he has referred, persons accused under section 302 of the Indian Penal Code do go undefended, and therefore there must be some reason why the circular is not strictly given effect to. The circular lays down that there should be a recommendation by the Committing

Maulvi A. K. Fazl-ul-Haq; Babu Surendra Nath Ray; Sir S. P. Sinha.

Magistrate on the nomination of the District Magistrate and a rather elaborate procedure has got to be followed before an undefended accused is provided with the services of a competent lawyer. My sole object in bringing up this resolution before your Excellency is that the present circular not having succeeded in achieving the object, some steps should be taken which would secure to undefended persons of this character the services of competent lawyers. I know sums are budgetted for annually and if the Hon'ble Member will look into the matter he will find that a rather insignificant sum is allotted for this purpose, not becaus Government is unwilling to spend the money, but the circumstances are such that this expenditure is not at all called for. What happens is this. As soon as A is committed, nobody seems to take any notice of him, if he is one of those unfortunates who have got no relation to look after him, or if he has any, they are of such a selfish character that they would rather see him hanged than saved. There are sometimes cases in which the death of a relative is to pave the way to succession. There is nobody to look after him and the case goes up in due course before the Sessions Judge. The learned Judge finds that the accused under section 302, Indian Penal Code, is going undefended and he generally requests a pleader who may be sitting in the Court to take up the defence. It may be that the pleader thinks that he would have heavy responsibilities in the task and he generally declines to take up the case with the result that the man does go undefended, and it is not a solitary case that a man has gone undefended. There are several cases every year in which the circular has not been given effect to. It is time, therefore, my Lord, that the matter should be reconsidered and if that is done, it will serve my purpose. I have brought this resolution for the consideration of this Council from motives of pure humanity, because I have known of cases in which the accused were undefended while they could have been acquitted had they been defended. As regards the case to which the Hon'ble Member has referred, he has repeated the case correctly, although I did not disclose the name. The person was accused of murder and it is true that he declined to do anything with the pleader and the Sessions Judge tried his best to get him defended by a pleader of his Court. The accused was of an eccentric character and it was for that reason that he did not like to be defended, and it was at the very last moment when the trial was about to close that an application was made on his behalf for having the prosecution witnesses re-examined and three witnesses were cross-examined. That does not show that the circular is given effect to. As I have submitted, the present state of things is such that the circular is not given effect to, and it will serve my purpose if your Excellency be pleased to issue a circular that the spirit of recommendations contained in the circular may be carried out by the Judges or Magistrates. All that I want is that provision be made either by issuing a circular or by any other means that Government think it advisable that accused persons may not go undefended. If the matter be looked into by the Hon'ble Member in charge, I do not think that any useful purpose will be served by taking up your Excellency's time by pressing this resolution. I would only ask for leave to withdraw it."

The Hon'ble BABU SURENDRA NATH RAY said :—

"I would only suggest that instead of the matter being left in the hands of the Commissioners of Divisions the matter be left in the hands of Sessions Judges to appoint competent lawyers."

The Hon'ble SIR S. P. SINHA said :—

"That is the practice."

The resolution, with its amendment, were then by leave of the President, withdrawn.

[At this stage the Council adjourned for lunch.]

[After lunch.]

List of Business—Item No. 11.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ moved the following resolution :—

This Council recommends to the Governor in Council that immediate steps be taken for the establishment of the proposed Muhammadan Arts College at Dacca.

He said :—

"My Lord, I wish to draw your Excellency's attention to the statements that have been made by the late Government of Eastern Bengal and Assam and also the Government of your Excellency's predecessor with respect to the establishment of an Arts College at Dacca. Before the annulment of partition, it was in contemplation of the Eastern Bengal and Assam Government to establish a Muhammadan Arts College as also a suitable boarding attached to that college and this proposal was accepted by the Government of your Excellency's predecessor. Since then no steps have been taken to establish this college and I submit this question has been too long deferred and it is time that it should be taken up in right earnest. Muhammadan students in large numbers as well as students of other communities find a great difficulty in getting admission to the existing colleges. At one time this statement of mine was generally being contradicted by Government officials, but I think at the present moment there is no difference of opinion on the point that students in larger and larger numbers do find a difficulty in the prosecution of their studies by reason of fact that they cannot get admission into colleges. There is at the present moment practically no chance for a student, who passes the matriculation in the second or third division, to enter a college. So many students really pass in the first division that it is impossible to provide accommodation even for them in a college. This is particularly deplorable in the case of the Muhammadan community because as at present situated, we cannot afford to lose a single student who wants to pursue his studies. One of the arguments against the establishment of a Muhammadan Arts College was the tremendous expense that would be involved both by way of initial expenditure as well as recurring expenditure for the maintenance of the College. In the case of Dacca, we can easily get over one of these difficulties by reason of the fact that your Excellency's government have at their disposal several buildings one of which could be well utilised for the purpose of starting a college. The only question so far as the expenditure is concerned will be the question of recurring expenditure and that will not come up to a very heavy amount. It may be said that a commission is going to sit to investigate the whole question of University education and that we had better wait till this Commission finishes its labours. The objection to that is, in the first place, that we will have to continue to wait on for some reason or other for a long time. We waited and waited when the Eastern Bengal and Assam Government was in existence because the management was not complete or the courses of study were not definitely settled upon, then there was the annulment of partition and we waited and waited again and then this unfortunate war broke out and then again it seems we will have to wait for this Universities Commission. There is no use waiting for the Universities Commission. Supposing a college is established at Dacca, it could easily be absorbed into the proposed Dacca University. The question of the Dacca University, I understand, is being seriously considered by Government with a view to its early establishment and although this Universities Commission is going to begin its labours soon, I submit that that in itself is not any reason why the question ought to be

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deferred. The position is really this: that at the present moment there are hundreds of students who cannot prosecute their studies for want of accommodation in colleges and the objections to the establishment of this college so far as the pecuniary aspect is concerned, if I am permitted to say so, are not of a very insurmountable character. Therefore, my Lord, in view of the importance of the question I beg to recommend that immediate steps be taken for the establishment of this college and I have no doubt that this question will receive sympathetic consideration at the hands of your Excellency's government."

The Hon'ble SIR S. P. SINHA said:—

"My Lord, I think it will save time if I at once say what I have got to say on behalf of Government. We have been trying time after time to establish a college for Muhammadans at Dacca even while we are awaiting the results of the pending Commission. But, as my friends will see presently, we are not able to do anything. The Dacca University Committee proposed that the University should include a Muhammadan Arts College with a capacity of admitting 500 students and the idea was that all Muhammadan students in residence at Dacca were to be obliged to join this college. Now that is a proposal which was accepted by this Government and recommended to the Government of India as long ago as the 6th of June 1913. They then pointed out that the scheme was too ambitious and we must modify our scheme so as to make it financially possible. Accordingly, we submitted on the 11th February 1915, a revised and a less ambitious scheme in order that the University might be established without further delay. That included, of course, the Muhammadan Arts College as one of the most essential portions of the original scheme. But we framed our estimates on a smaller scale commensurate with the funds available and we proposed that instead of a separate building being constructed for this college the college should be located temporarily in the old Secretariat building. Now even that was not considered feasible and some time afterwards we submitted what is known in the Secretariat at any rate as the minimum scheme and in that also we proposed that the Muhammadan Arts College should form part of it and be located in the Secretariat building. That was only as early as the 14th of October last year 1916. It will be noticed therefore that we on our part have persistently urged the establishment of a Muhammadan College as part of the University and have pressed for the establishment of the college even on a reduced scale; but the Government of India's last word upon the subject is in their letter to us dated the 8th February 1917. We had proposed a certain scale of expenditure as small as we could make it, but the Government of India informed us that the expenditure did not appear to them to be fully justified by the urgency of the case and as we had already been informed in Finance Department letter dated the 17th January, the provision of 7½ lakhs for 1917-18 proposed by the Local Government had been disallowed by the Government of India. In view of the fact that expenditure on the University scheme must therefore be necessarily postponed, the Government of India decided that the legislation required for initiating the University should also be postponed. The Government of India have no intention of abandoning the scheme, but the Government of India have decided that legislation should not be undertaken until they received the report of the Commission. It is hoped that by this arrangement the Government of India will receive valuable advice to supplement that which is already at their disposal regarding the constitution and management of the proposed University. As a matter of fact, notwithstanding the letter we have tried to see—whether in respect of the question of the University we could not have a Muhammadan Arts College, immediately started at Dacca in advance of the University and the matter was very carefully considered by my predecessor in office,—Nawab Sir Syed Shams-ul-Huda, in

conjunction with Mr. Lyon, and the Director of Public Instruction, and Mr. O'Malley, the experienced Secretary in the Department, but it was found that under present conditions it was absolutely impossible to have such provision made for the institution of a Muhammadan College as was necessary to make it of the same standard as other colleges at Dacca. Nawab Sir Syed Shams-ul-Huda was of opinion, and Mr. Lyon agreed with him, that it would be better not to have an inferior college for Muhammadans and that we must wait until we got a good college and therefore my friends will see that we have tried our utmost and persistently to have this college started as soon as possible."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, after what has fallen from the Hon'ble Member in charge there is not much to be said. We have always maintained that additional facilities ought to be provided if the existing arrangement is not sufficient—it is not only for Muhammadans, but for all other sections that additional arrangement is absolutely necessary. In moving my resolution on education in March last, I enumerated the reasons for urging upon Government that more facilities ought to be allowed for the spread of education. The proportion of illiteracy to literacy is rather appalling. It is the first business of the State to educate the people committed to its charge, I am glad to learn that Government are trying to arrange for another Arts College for the Muhammadans at Dacca. I hope in whatever shape it be done either for Muhammadans or Hindus or other sections, that early arrangements will be made to have it established. With these few words I commend the resolution to the acceptance of this Council."

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY said :—

"My Lord, I have the misfortune of differing from the Hon'ble Maulvi Fazl-ul-Haq on the question of establishing an Arts College for Muhammadans at Dacca. At the last budget meeting I had expressed my views on the subject and with your Excellency's permission I would simply read out a portion from my speech dealing with the Muhammadan Arts College at Calcutta. I said :—"

The Hon'ble MR. BEATSON BELL said :—

"Will the Hon'ble Member be in order in reading out a previous speech."

The President said :—

"On the point of order I do not think the Hon'ble Member is strictly in order in reading out his previous speech. That speech is on record and every member of Council is supposed to be in possession of it. I do not think there will be any objection to his reading out a short extract if he so wishes, but it will hardly be in order for him to read out a previous speech which has already been made."

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY said :—

"I was reading only one passage from my speech. I will, however, give a brief résume of my reasons. In the first place, I am not in favour of a denominational college or University, because in the battle-field of life, Muhammadans will have to compete with non-Muhammadans. In the second place, great insistence is laid on the Arts College, and I do not know whether Government will be in a position to provide funds for a Muhammadan Arts College in every Division. Later on there may be a cry for a Muhammadan Science College, a Muhammadan Commercial College and Engineering

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College and so on. Therefore, I urge upon your Excellency's attention the necessity of establishing scholarships and stipends in order to enable Muhammadans to avail themselves to the fullest extent of the facilities already existing in non-denominational colleges and institutions. These were my reasons before and I have no reason to change my views which I expressed on that occasion. I waited for my friend, the Hon'ble Maulvi Fazl-ul-Haq, to give some reasons for the urgency of having a Muhammadan Arts College at Dacca in these days of financial stress, because the resolution says that 'immediate steps should be taken to establish a Muhammadan Arts College.' I do not think that he has disclosed any reason why such immediate step should be taken."

The Hon'ble MAULVI FAZL-UL-HAQ said :—

"My Lord, I would not have troubled the Council with any words of mine by way of reply had it not been for a few words which have fallen from my hon'ble friend, Dr. Suhrawardy. I can assure him that I am no less opposed to denominational educational institutions, but at the same time I maintain that in order to bring the Muhammadans up to a level with the other advanced communities in the country, a sort of concession should be given to them so that they may make up their loss. The denominational institutions are not meant for the purpose of separatism of the two communities in the matter of their education. I will be very glad to see as many colleges as can possibly be started for all other communities, but since I find that other communities can take care of themselves, and the Muhammadan community is too poor to provide for its own education—that I am appealing to Government to set apart some money out of public funds for the establishment of a Muhammadan College. I was led to bring up this resolution before the Council by reason of the very earnest and large-hearted sympathy which I received at the hands of the leaders of other communities. They repeatedly assured me that they would only be too glad to see a Muhammadan Arts College established at Calcutta, provided Government could find a means to do so. As regards the reasons for urgency I would remind my hon'ble friend that as each year passes hundreds of Muhammadan boys do not find admission into the colleges most of whom might have been successful in their arts or science courses as students, and also fitted themselves for the public life of the country. Each year, therefore, means a year of loss to us and it is for this reason that I want that immediate steps should be taken in this matter.

As regards the reply that has been given on behalf of Government, I am perfectly convinced that so far as your Excellency's government is concerned, all that is possible has been done in order to establish this college. It is only to-day that we have been let into the secret—if I may call it—of what passed between this Government and the Government of India and I find that so far as this Government is concerned, I do not think I can fairly charge this Government with any sort of negligence in this matter. That being the state of affairs and remembering also that the sympathies, of the hon'ble member in charge of education, for Muhammadan education, are marked and well-known, I do not think there will be any useful purpose if I press this resolution. I have brought this up for the consideration of this Council in order to emphasise the importance of the subject and I earnestly hope that as soon as opportunities present themselves no time will be lost for the establishment of this college. I am perfectly sure that my hope in this respect will be realised in the very near future. With these words I beg to withdraw my resolution."

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The Hon'ble SIR S. P. SINHA said :—

"My Lord, may I mention a matter which I ought to have mentioned at the very beginning. At the conference which I spoke of when the Hon'ble Mr. Lyon, the Hon'ble Nawab Sir Syed Shams-ul-Huda, the Director of Public Instruction, and Mr. O'Malley discussed the matter, my hon'ble predecessor in office pointed out that inasmuch as a recent concession had been made in favour of Muhammadans whereby Muhammadan students should have a preferential claim to admission to 25 per cent. of places in Government Colleges, that in itself had given general satisfaction to the Muhammadan community, and in these circumstances, it was unlikely that there would be a pressing demand for the starting of a new Muhammadan College in advance of the Dacca University."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 12.

The Hon'ble BABU SURENDRA NATH RAY moved the following resolution :—

This Council recommends to the Governor in Council that Government be pleased to supply Darjeeling Quinine and Quinodine free of charge to the dispensaries maintained by Municipalities and District Boards in the Presidency of Bengal.

He said :—

"My Lord, it may be said that this is not the proper time to move such a resolution as this, that I ought to have moved the resolution during Budget time. Discussions on so many topics crop up during Budget debate and my experience of the fate of the resolutions of the non-official members have made me move this resolution at a cooler time when I feel sure to have a better hearing. I hope my friends will not be wearied because I have to deal with figures and statistics which are always tiresome.

We find from the Budget estimates of 1914-15 that the expenditure in the manufacture of quinine and quinodine was Rs. 2,37,142 whereas the income was Rs. 4,10,258. In the year 1915-16 the expenditure was Rs. 2,01,394, the income was Rs. 5,47,871. In the year 1916-17, the expenditure on the cinchona plantations was Rs. 2,11,000, the income was estimated to be about seven lacs of rupees. In the year 1917-18, the expenditure is estimated at Rs. 2,23,000, and the income is estimated at Rs. 7,32,400, the increase being due to larger sale of quinine to the military and other departments. Even admitting the increase as due to larger sale to the military authorities we can fairly take the income at six lacs of rupees and the expenditure at about two lacs of rupees. It will, therefore, appear that Government makes a profit of about four lacs

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of rupees from the sale of what is known in the market as Darjeeling quinine. I find from the resolution of the Government of Bengal on the working of Municipalities in the Presidency that the Municipalities spent Rs. 3,75,817, including plague charges in the year 1913-14, Rs. 3,53,594 in the year 1914-15 and Rs. 3,90,942 in the year 1915-16 on dispensaries and hospitals whereas the District Boards spent Rs. 3,75,887 in 1913-14, Rs. 4,97,698 in 1914-15 and Rs. 5,59,898 in 1915-16, so that we find that the municipalities and District Boards combined spent Rs. 7,51,701 in 1913-14, Rs. 8,51,292 in 1914-15 and Rs. 9,50,840 in 1915-16 on dispensaries and hospitals.

It appears from the information supplied to me by the Secretary to the Government of Bengal, Municipal Department, that altogether seven dispensaries were in receipt of grant from Government during 1914, 1915 and 1916 and that the entire amount of such grant was Rs. 2,010 per annum.

I find from another statement kindly supplied to me by Government that the amount received by Government by sale of quinine, quinoline and tablets to the dispensaries maintained by District Boards and Municipalities in the year 1914-15 was Rs. 31,315-8, in the year 1915-16 Rs 42,397-14-6 and in the year 1916-17 Rs. 51,389-3. I have put down the average nett profit from the sale of quinine and its preparations at 4 lacs of rupees per annum and the average sale to the dispensaries maintained by Municipalities and District Boards at Rs. 50,000, *i.e.*, one-eighth of the actual profit. I think Government can very well afford to make a grant of one-eighth of the profit derived from the manufacture of quinine and its preparations to these institutions.

It appears from the Report on Sanitation in Bengal for the year 1914 that in Bengal 1,061,041 persons died in that year from fever, which is 74 per cent. of the year's mortality from all causes. Out of these fever cases we can fairly put down 75 per cent. of the cases to malarious fever. This will give a total of 8 lacs of deaths due to malarious fever. From the Sanitation Report for 1915 we find that there were 1,064,159 deaths from fever or 71 per cent. of the deaths from all causes. If we take the same percentage as regards malarious fever, we find that there were again about 8 lacs of deaths from the same cause. In the year 1916, there were 909,880 deaths from fever. If we calculate at the same percentage we find that there were about 7 lacs of deaths from malarious fever or nearly a lac less. Medical men are of opinion that malaria is a preventible disease and that quinine is its only antidote. I need not cite authorities for what I have said. Let me quote only one passage from the Report on Malaria in Bengal (Part I) by the present Sanitary Commissioner of Bengal, Dr. Bentley: "The proper treatment of cases of malaria with quinine which is the most efficient of the alkaloids from cinchona bark, diminishes the spread of infection among a population very greatly. Adequate quinine treatment may be considered, therefore, an effective method of malaria prevention." Unfortunately adequate quinine treatment is not possible under the present financial condition of the Municipalities and District Boards.

About five or six years ago I had a talk with a member of the Indian Medical Service on the subject of administration of quinine to malaria-stricken patients. He told me that the Government insisted that at least 80 grains of quinine should be administered to each patient in order that the medicine may produce its full effect and to see that such an amount of medicine is administered to all patients of dispensaries maintained by Municipalities and District Boards. He told Government that it was impossible for the latter

bodies to administer such a large dose of quinine as 80 grains to patients attending their dispensaries, that their financial condition would not allow them to administer such a large dose. I have collected statistics from some of the dispensaries and I find that the average amount of quinine administered to a patient varies from 5 or 6 grains to 20 grains or about one-fourth of the proper dose which, I am told, is just sufficient to put a stop to the fever only temporarily. This small dose of quinine cannot check the fever for the season and the result is that the patient gets repeated attacks. The reason why the proper dose of 80 grains is not administered and the people have to be satisfied with the temporary good they derive from the small quantity of quinine is that these dispensaries cannot afford to give a larger dose of quinine. A circular letter was issued on the 8th November 1913 by Government to all municipalities enjoining upon them the desirability of the systematic distribution of quinine in the schools and pathsalas. The Sanitary Commissioner of Bengal has only in the month of June last enquired of all municipalities as to the steps taken in this connection pursuant to the above circular. Financially many of the municipalities are not in a position to carry out the instructions of Government in the administration of quinine. I must candidly admit that Government have of late been taking steps to grapple with the question of malaria. They have not only the Malaria Committee but there has been gratuitous distribution of quinine in the more malarious districts. In the year 1914, 24 Sub-Assistant Surgeons were employed on anti-malaria work. Travelling dispensaries, which started in the Malda District during the year 1914, continued its work till September 1915. They afforded relief to a fairly large number of fever-stricken patients living in out-of-the-way places and also served the purpose of popularising quinine. In the year 1916, Government were pleased to supply the District Boards of Birbhum and Murshidabad with quinine to the value of Rs. 1,500 each, those of Dinajpur, Nadia, Bogra, Rajshahi, Malda Jessore and Bankura to the value of Rs. 1,250 each, and Hooghly to the value of Rs. 750, with instructions to distribute the quinine to charitable dispensaries and if thought fit to make them over to peripatetic doctors they might entertain. Besides this, four Mission dispensaries in the district of Nadia and one in the district of Murshidabad were annually supplied with about 100 parcels of quinine treatment for free distribution. One Mission dispensary in the Howrah district, viz., that at Bagnan, was supplied with 20 lbs. of quinodine annually and as a special case 100 parcels of quinine treatments were supplied to a Mission dispensary in Faridpur during 1916. Quinine has also been distributed at Government expense in a number of schools in Hooghly and Burdwan during the past three years.

But while Government have been trying to some extent to cope with malaria, the municipalities and District Boards are not apathetic. We find from the Sanitation Report of 1915, that the District Board of Birbhum purchased quinine worth over Rs. 1,200 for free distribution to malaria-affected localities and also supplied to the charitable dispensaries under its management quinine valued at Rs. 2,000. The District Board of Rangpur spent Rs. 5,000 for the same purpose. The District Board of Howrah also gave a free supply of quinodine to the school children in thanas Singti and Jogutbullubhpore. The District Board of Mymensingh spent Rs. 818 on the free distribution of quinine in the Tangail Subdivision and other malarious parts of the district in 1913-14 and that of Faridpur Rs. 1,000 in connection with a malaria epidemic. The District Board of Dacca distributed quinine for sale to Collecting Panchayets in malarious areas and spent Rs. 427 in order to give the first instalment free, arrangements being made for the recoupment of the stock from the sale-proceeds. The Tippera District Board spent a larger amount than in the previous year on the distribution of quinine, and Pabna distributed quinine during a malaria epidemic.

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I ought to mention that the District Boards have been to a certain extent properly utilising their increased funds from the Public Works Cess. In 1913-14, the Dacca District Board decided to establish and maintain ten new dispensaries in places where medical aid was not procurable. We find from the Government Resolution on the Reports on the working of the District Boards of Bengal during 1914-15 that the District Boards showed themselves fully alive to their responsibilities for the provision of medical aid for the poorer classes. There was a perceptible increase in the number of dispensaries aided or maintained by the Board. Sixteen additional dispensaries were made a charge on the District Board of Burdwan. Three new dispensaries were opened in the Nadia district. So in the year 1915-16 we find that the Birbhum District Board made a special effort to cope with an epidemic of malarial fever with the help of a Government grant of Rs. 25,000 and opened 12 dispensaries each in charge of a Sub-Assistant Surgeon. Considerable sums were spent by the District Boards during 1914-15 on the free distribution of quinine, notably Rs. 10,000 in Midnapore and Rs. 5,000 in Rangpur. In some cases this free distribution was made through dispensaries, in others by the Boards' doctors direct to villagers in malaria-stricken areas. In reviewing the working of the District Boards for the year 1915-16 the Governor in Council was pleased to observe that the District Boards realised their duties in providing medical relief and that their expenditure on this account increased by over a lac, mainly in West Bengal.

The sale of quinine is becoming more popular among the people of this Presidency. We find for example in the Sanitation Report for 1914: "It appears from the reports received from the Civil Surgeons that the sale of treatment from quinine is becoming more and more popular and in many districts the sale is increasing very rapidly." We find from the said report that since the introduction of the present system of sale of quinine in tablet form in August 1913, the sale has nearly doubled. We find the following important statement in the Government Resolution on the working of District Boards for 1914-15: "The Governor in Council is much interested in the rapid extension of the distribution of quinine due to the increased energy and attention recently devoted to this problem by the District Boards. There is a wide scope, not merely for free distribution, the financial limits of which must always fall far short of requisite consumption in malarial areas, but also for the promotion of sales, by the enterprise of local agents and business-like facilities of supply . . . . Considerable sums have been spent by various District Boards during the year on free distribution of quinine."

It is worth quoting the following extract from the proceedings of a meeting of the Provincial Malaria Committee held in January 1913:—

"The figures quoted both by Dr. Bentley and Major Fry show that the amount of quinine supplied by these dispensaries for the treatment of fever cases is most inadequate, and it was unanimously resolved to draw the attention of Government to this state of affairs.

"The remedy for this was also dicussed. It was pointed out by Mr. Gupta and the President that the matter is largely one of finance. The budget allotment for medicine for these dispensaries is very inadequate.

"It was unanimously resolved that Government be moved to insist that all patients applying for treatment for malarial fever at District Board dispensaries should receive quinine in the form of 'treatments' and that under no condition less than a complete 'treatment' should be given to each patient, the breaking of the 'treatment' being strictly forbidden."

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"It was pointed out by several members that this means an enormous increase in the expenditure of quinine in the Province generally, and it was discussed as to who should be asked to provide this money. Major Fry was strongly of the opinion that the amount which could not be provided by the District Boards should be found by Government.

The above remarks apply also to municipal dispensaries.

The country is becoming more and more insalubrious every year. We find from the report on malaria in Bengal: "There is little room for doubt that the outbursts of epidemic fever which decimated so many districts in the lower delta from 1860 onwards, marked the transition from a comparatively salubrious state, similar to that still observable in parts of Eastern Bengal, to one characterised by a widespread prevalence of malaria, such as we have seen to be the condition existing in many parts of the province at the present time." Whether they are due to the silting up of river beds leaving stagnant pools here and there or insufficient water-way under Railway embankment, the fact is there and we must grapple with the situation as it is.

I think I have made it clear by facts and figures that a large number of people die every year from malaria which is a preventible disease, that quinine is admittedly one of the most potent medicines to check the disease, that Government have been making large profit every year from the sale of quinine which is manufactured in this country, that the resources of the municipalities and District Boards, specially of the former body, are limited and that it is perhaps not asking too much from Government to supply these bodies with quinine free of charge. I hope Government will see their way to accept this modest resolution, more specially as the grant would only benefit the health of suffering humanity."

The Hon'ble MR. BEATSON BELL said :—

"My Lord—As the Hon'ble mover has very correctly pointed out, this motion should properly have come at the time when we consider our budget. We do not, however, raise any serious objection to considering the question to-day. The Hon'ble Member has given us many interesting facts about the prevalence of malaria in Bengal and the attempts of local bodies, both in the Municipalities and in the mofussil, to cope with the ravages of this disease. The Hon'ble Member has not, however, given us much information regarding the system under which quinine is manufactured in Darjeeling and in Madras and is distributed to Government institutions, and incidentally to local institutions, throughout India. The Hon'ble Member is no doubt aware that until the Government of India undertook the manufacture of quinine it mainly came from Java. The bark was cultivated there by planters; —presumably Dutchmen; it was shipped to England where it was made into commercial quinine and it was thence exported to India, partly on behalf of Government and partly on behalf of private firms, and was consumed by malaria patients. Afterwards Government established quinine factories of its own, one in Madras and another in Bengal. At first, as usually happens when it engages in such enterprises, Government sustained a considerable loss year by year. The system on which Government conducted its transactions was that it followed the private market and scrupulously avoided underselling private enterprise. Each year the price of Government quinine was based on the average price obtained by commercial quinine from Java, in other words by the well-known "Howard's Quinine." We are told that Government is now making huge profits. As a matter of fact, the bulk of our transactions consist merely in taking money from one pocket of Government and putting it into another. As I have pointed out, our

quinine plantations were set up in order that Government might supply quinine to its own dispensaries. Between the quinine plantations and the Government Department which runs the dispensaries we keep *pro formâ* accounts showing the profit and loss of the plantations. We do not sell to chemists, druggists or private practitioners. We do, however, allow local bodies, if they so desire, to buy their quinine from our plantations and we do make over large quantities of Government quinine to the Civil Surgeons, in order that they, through the agency of local post-masters, may sell it to the public in the form of pice-packets, or what are known as "treatments."

"As recently as April 1916 the Government of India explained the whole system and reiterated the principles on which Government quinine is manufactured and distributed. The principles are those which I have just described. We must follow the private market and not undersell it, and we must confine our transactions to Government dispensaries, to local bodies and (through Civil Surgeons) to post-offices. As long as that pronouncement of the Government of India holds good, I do not see how we can adopt a policy of giving quinine to local bodies either at cost price or gratis. We recognise, however, that a difficult situation has been reached. Owing to the war, the supply of commercial quinine has gradually dwindled, and the price has gradually risen. All Hon'ble Members who have anything to do with the management of dispensaries must be painfully aware of this fact. The difference between cost price and the price which the plantation charges to local bodies is now so marked that the position demands examination. We propose to consult Major Gage, and having ascertained all the latest facts and figures, to make a reference to the Government of India.

"In the course of the Hon'ble mover's speech, he has given many interesting figures regarding the action taken by District Boards and Municipalities in spreading quinine throughout the country. Government gratefully acknowledges the good work which has been done by these local bodies. They distribute, free of cost, about 3,000 pounds of quinine every year. As against this, the post-offices in Bengal sell annually one million "treatments", or in other words 80 million grains of quinine. That works out to 11,000 pounds of quinine, nearly four times what is distributed by the local bodies. In fact, the quinine which is bought is more popular than the quinine which is received in charity. It is certainly a matter for consideration whether, in the case of a patient who can well afford to pay for his own medicine, the doctor in charge of a charitable dispensary is justified in making him a present, at the cost of the general rate-payers, of a sufficient quantity of quinine to take him through a prolonged treatment. Should he not rather give him a dose sufficient for his immediate need and advise him to go along to the post-office next door and purchase enough quinine to effect a lasting cure? This, I understand, requires five "tubes" costing 1 annas each, and the treatment is spread over three months.

"We should hesitate before we embark on a policy of handing out to every man, rich or poor, who comes to a charitable dispensary five tubes, or even one tube, of Government quinine free of all cost. It would be wrong to make the dispensaries usurp the functions of the post-offices. By all means give the poor man enough quinine, either in one instalment or day by day, to cure him thoroughly. But let us be reasonable in our dealings with the well-to-do.

"There is one other aspect of the case to which I must allude. A few years ago Government presented the District Boards with the P. W. cess, amounting to some 30 lakhs per annum. One of the specific purposes of the grant was to enable these bodies to cope with malaria. It cannot therefore be

said that Government's only connection with the anti-malarial campaign has been an attempt to make a profit by selling quinine to local bodies. We have given ample funds to every District Board, if it be so minded, to scatter tubes of quinine throughout the country. In many municipalities also we have given liberal allotments for this purpose from the Sanitary grant, and we shall continue to do so.

"The situation must be looked at in all its aspects. From what I have said I hope the House will realise that Government is very far from being indifferent in this matter. We cannot, I am afraid, accept the resolution in the form in which it has been worded. Perhaps in the circumstances the Hon'ble Member will no longer press it but will be content to help us in examining the present system with a view to introducing such changes as are really fair and just."

The Hon'ble DR. NILRATAN SARKAR said :—

"My Lord,—I have very carefully listened to what the Hon'ble Mr. Beatson-Bell has said about the method of supplying quinine to malaria-stricken people in Bengal. My friend the Hon'ble Babu Surendra Nath Ray in moving his resolution has shown that the amount of quinine supplied through the local body dispensaries is inadequate to meet the demands. According to the Surgeon-General's reports 16 lakhs of people suffering from malaria apply for treatment to the dispensaries in Bengal. There are 661 dispensaries and out of this number about 350 are maintained by local bodies. On a moderate computation about 10 lakhs of sufferers went to dispensaries maintained by local bodies for treatment, and during last year—1915—under war conditions these dispensaries or most of them purchased quinine from the Government because Government quinine was cheaper than the ordinary market quinine. But in order to treat 10 lakhs of patients suffering from malaria, according to the Government circular, they would require about 10,000 lbs. of quinine at the rate of 1 lb. per 100. This is a little less than 80 grains per head which is referred to in the Government circular and for this they would require about Rs. 1,30,000 at the rate of Re. 1-3 per lb. Now, instead of that the maximum that they could pay was only Rs. 50,000. That is not an index of the maximum necessity but the minimum amount that they could afford to pay and they got only about 3,850 lbs. of quinine, *i.e.*, a little over one-third the amount. This is, according to the circular, an inadequate supply of quinine to the local body dispensaries. This matter has been very clearly put up by our esteemed friend, the Hon'ble Surgeon-General. I quote from the report of the Surgeon-General :—

"'Of a good many dispensaries who act up to the instructions issued by this office for the treatment of malaria patients with adequate doses of quinine, very few, however, would give the prescribed quantity of the drug to their patients chiefly owing to lack of funds to meet the extra cost'".

"My friend Hon'ble Babu S. N. Ray has shown also what the Malaria Committee thought of it. They also held that the supply of quinine was inadequate. Now the Hon'ble Mr. Beatson-Bell doubts whether the present system of distributing quinine through dispensaries is a good one or not. Apart from the business side of it, there is another side connected with medical relief, and that is the more important side in dealing with the population, especially the lower class people of Bengal. The post office system is a nice system and is a very good one and it has distributed quinine throughout the length and breadth of the province. As much as 80 millions of people are sufferers from malaria in Bengal, but still there is a larger number of people who cannot afford to pay anything for quinine and the

Dr. Nilratan Sarkar; Babu Kishori Mohan Chaudhuri; Rai Radha Charan Pal Bahadur.

services of dispensaries are necessary therefore in the case of those who require charitable medical relief. There are thousands of people in Bengal who cannot afford to spare a couple of pice on medicine. The tube treatment means four annas, and if one purchases 5 grains of quinine he has to pay two pice, but even that small amount he cannot afford to pay and I admit also that on account of both ignorance and apathy even some of them who can afford to pay do not purchase it. But that is a question of education, but so far as the supply goes it is inadequate and it has not been able to reach even a fraction of the sufferers who are victims of this disease. Only 16 lakhs of sufferers from malaria go to the dispensary for medical aid. But so far as one can infer from the death figure about nine times that number remain outside who are suffering from malaria but who do not go to the dispensaries. The death rate is 8 lakhs every year—7½ to 8 lakhs and from malaria we know generally for every 10 to 25 per cent. that suffer one per cent. dies. My Lord, here a very large question of principle is involved, the question, being—if the local bodies are unable to meet the necessities of the situation it is necessary that public funds should come to their aid and should be devoted to this specific purpose. I believe all gentlemen belonging to my profession will agree with me that if there be any purpose to which public funds should be devoted, this is the one. I should therefore most cordially support the resolution of my Hon'ble friend not because I feel that it is enough but because it will give an earnest of what we ought to do in the near future. In any efficient and thorough scheme of eradicating malaria from Bengal our only hope should rest in providing the country with a sufficient supply of quinine just as the Italians did in Italy and the Japs did successfully in Farmosa, and I believe whatever the difference of opinion amongst the experts in regard to the methods of dealing with mosquitos or the drainage, they are all agreed as to the usefulness of quinine in the prevention and eradication of malaria. I hope that your Excellency will take this matter up in right earnest and not as a matter of business or a commercial enterprise but as a question of sanitary duty which must be done in order to make Bengal the best land in India so far as health and comfort go."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said —

"My Lord,—The figures and arguments supplied by the Hon'ble Babu Surendra Nath Ray and the Hon'ble Dr. Nilratan Sarkar are convincing and I rise to support their views because I am specially interested in this affair. The Nator subdivision of my district—the district of Rajshahi—is notorious for malaria. The usefulness of quinine in combating the disease is invaluable so the demand of Rs. 50,000 from Government is very modest and not very much. Large numbers of people do not get the advantage of charitable dispensaries because the number of dispensaries is not adequate. I believe some help could be rendered to District Boards and Municipalities, peripatetic doctors could be appointed and arrangements could be made to grant better relief. District Boards and Municipalities are Government institutions and it is not too much to expect that they should be supplied by Government with quinine either free of charge or at least at the cost price. I think the Government of India should be induced to grant the concession and this modest demand should be met by Government. With these few words I commend the resolution to this Council."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord,—I would just say one or two words. I have been impressed by the lucid speech of the Hon'ble Dr. Nilratan Sarkar and what I should

Rai Radha Charan Pal Bahadur; Babu Surendra Nath Ray; Babu Brojendra Kishor Ray Chaudhuri; Maulvi Abul Kasem.

like to know is this—whether this grant of Rs. 50,000 which is asked for from Government by the Municipalities will be spent in supplementing the free distribution of quinine or on peripatetic doctors. We have not got any information on the subject. I am in entire sympathy with the motion of the Hon'ble Babu S. N. Ray, but I think the members of this Council are entitled to know whether the Rs. 50,000 which is now being spent by the Municipalities will be continued to be spent in addition to the free grant of quinine asked for from Government, that is to say, this Rs. 50,000 will not be diverted for other purposes but be devoted to the relief of malaria-stricken people."

The Hon'ble BABU SURENDRA NATH RAY said :—

"In view of the reply given by the Hon'ble Mr. Beatson Bell I do not think it proper to press my resolution. I beg to withdraw it."

The Resolution was, accordingly, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 13.

The following resolution stood in the name of the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

This Council recommends to the Governor in Council that steps be taken to introduce a system of regular medical inspection of students of schools and colleges; and that a committee of officials and non-officials be appointed to suggest the lines on which such system should work.

The President said :—

"Gentlemen, the Hon'ble Babu Brojendra Kishor Ray Chaudhuri is not present here to move his resolution. He has, however, written and asked for a postponement for reasons of illness. I think that is a satisfactory reason for his absence and as requested by the Hon'ble Member I postpone the moving of the resolution to the next meeting of the Council."

LIST OF BUSINESS—ITEM No. 14.

The Hon'ble MAULVI ABUL KASEM moved the following resolution :—

This Council recommends to the Governor in Council that the day of the Mussalman festival *Shabi-barat* be declared a holiday in Government offices.

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord,—It is with some diffidence that I rise to move this resolution. I feel diffident because I am afraid that a casual observer of these proceedings may carry with him the impression that the Muhammadan members of this Council bring forward resolutions in season and out of season in which some concession or other is asked for the members of that community and I had the misfortune or good fortune of associating myself with two previous motions which either asked for a holiday or for suspension of work in public offices. I admit, my Lord, that those of us who represent Mussalman constituencies in this Council have felt it their duty to draw the attention of the Government from time to time to the grievances of the Mussalman community, but I am sure that those who have studied the administrative problems

of this Presidency in its various aspects will agree with me when I say that our conduct was fully justified and that our demands have always been moderate and reasonable. Mussalman interests have been allowed to be neglected for such a long time that we would be failing in our duty if we did not avail ourselves of the opportunity given to us as members of this Council to ventilate our grievances and bring forward motions for their removal. I do not mean for a moment to be understood that I hold Government only responsible for the present state of affairs. The members of my community are to a very great extent to blame for not pressing their requests before Government for consideration. The Mussalmans have paid the penalty for their neglect of high education on Western lines in the early days of the British rule and they are paying dearly for their apathy to all questions of public interest, especially those affecting their own community. To speak the truth, the Mussalman community had scarcely any organisation or means of effectively seeking redress of their grievances until the privilege of communal representation in the Legislative Councils was granted to them and it is our unfortunate position to deal with a very large area. I gratefully admit, my Lord, that our prayers have been always received sympathetically by the members of your Excellency's Government and on many occasions been given effect to. Last year about this time I had brought forward a motion for an additional holiday. I had to do this because the ministerial officers belonging to the Muhammadan faith in the district of Birbhum were made to attend office and work on the day of the Id-ul-fitr, although it was notified by Government that Muhammadan employees were to be allowed to absent themselves on that day. I received a sympathetic reply from the Hon'ble Member in charge and the resolution was withdrawn. I understand, however, that effect has been given to the resolution and the prayer made therein has been acceded to. I am obliged to move this resolution to-day because the very same Collector of Birbhum has refused the application for leave presented to him by the Muhammadan employees of his office and they had to work on the day of the Shabi-barat. I know, my Lord, that a Government Notification was issued by which Muhammadans were permitted to absent themselves from office on certain days and that the day of the Shabi-barat is one of those days. But I am told, my Lord, I do not know how far I am correct, that there is an order of the Board of Revenue to the effect that the Muhammadans who want to avail themselves of leave on any of those days should give a substitute from their own pay for that day. I cannot understand how that order came to be passed."

The Hon'ble MR. BEATSON BELL said :—

"There is no such order."

The Hon'ble MAULVI ABUL KASEM continued :—

"I am glad to learn that there is no such order. As regards asking for a holiday I may say that Shabi-barat is one of the important Muhammadan festivals which have received some attention at the hands of Government. They have recognised that it is necessary for the Muhammadans to have leave on those days and therefore a circular had been issued to that effect, but still we find that the circular as it stands is not very effective as officials can avoid it as has been done by the District Magistrate of Birbhum. Much of the difficulties would be avoided and trouble saved if the circulars issued by Government from time to time are carried into effect in the spirit in which they are issued, but in fact experience has unfortunately shown us that District Officers sometimes take these circulars as an expression of pious opinion on behalf of Government and not meant to be given effect

to, and try to avoid them as best as they can by keeping to the letter of that circular. I think if my resolution is rejected on the ground that we have already got too many holidays, I submit that the whole list of holidays should be revised and so readjusted that it may suit the convenience of the Muhammadans who form a large majority of population in this Presidency along with those of other communities.

The Hon'ble SIR HENRY WHEELER said :—

"My Lord,—As the Hon'ble Maulvi Abul Kasem has admitted, this question of the distribution of public holidays has received a great deal of attention in recent times, and as a result of that attention the present position represents what is regarded as a fair compromise between the interests of different creeds. The predominating factor, from which we cannot get away and which affects the whole question, is that the list of holidays is already a very long one.

"As is probably known to all, the holidays which are now observed fall within three classes, and I would like to make this clear as, judging from a portion of his speech, the Hon'ble Member does not seem quite to realize what the existing orders in regard to the Shabi-barat are. There are, first of all, holidays which come under the Negotiable Instruments Act, *i.e.*, holidays on which practically all business is suspended and there is a very general interruption of work. There are, secondly, certain notified days on which nearly all Government offices are closed. That means the interruption of Government work and of private business in so far as it is concerned with Government offices, but these holidays involve less interference with work than those under the Negotiable Instruments Act. Then there is a third category of holidays on which Government offices do not close as a whole, but on which employés of particular creeds—if it is a holiday pertaining to that creed—are allowed to absent themselves from office ; that is to say, on these days Government business goes on, but it goes on with the hindrance resulting from a depleted staff.

"That being the general position, Sir, I would emphasise slightly more than the Hon'ble Member has done, the particular consideration which in recent years has been paid to Muhammadan wishes in the matter of holidays. I do not do so by way of complaint—rather I congratulate my Muhammadan friends that in this matter things have worked out in their interest—but it is only right that the Council should realise that regard has been had to Muhammadan sentiment in these matters. As doubtless will be remembered, this is a subject in which the Hon'ble Mr. Ghazuavi very keenly interested himself, and in 1913 he moved a resolution at Delhi the general trend of which was that more Muhammadan holidays should be given. That resolution was recommended to local Governments for sympathetic attention, and as a result of the discussion that then took place three more Muhammadan days were added to the list of holidays under the Negotiable Instruments Act, two days at the same time being taken away from the Hindu list for the purpose of avoiding an increase in the total number of holidays. Again the Hon'ble Member moved a resolution in September 1916, asking for an extra day on account of the Id-ul-fitr festival, and that too was conceded. So in these two important respects in recent times the requests of the Muhammadan community have been met.

"Now, coming back to the particular case of the Shabi-barat, the position is that it now falls under the third category of holidays, that is to say, Muhammadan employés of Government offices may absent themselves from office on that day, and to that extent consideration is already given to their feelings.

though at the same time the work of Government can go on, with some detriment due to part of the staff being away. But now the Hon'ble Member asks us to go further, and to declare this to be a holiday in the second category, that is to say, a day on which all Government offices should be closed. I understand that he bases this largely on an incident which has been the subject of a question to-day, and which is said to have happened at Birbhum. As has been already said in answer, that case is still under the consideration of Government, and I reserve a final opinion regarding it, though if it is found that the orders of Government are not being properly observed, it may be assumed that the requisite instructions will be issued to the officers concerned. But is not the Hon'ble Member a little unreasonable in asking that, on account of his apprehensions based on one incident at one place, the system applicable to the whole province should be changed, thus introducing complications in the rather delicate balancing of the distribution of holidays as a whole? This particular question of the Shabi-barat is, moreover, not a new one. It was raised by the Muhammadan Defence Association in 1907, and again in a local address presented to Lord Carmichael in 1915 by certain residents of Tangail, and on both occasions reasons were given expressing inability to meet the wishes of the memorialists. To that decision I must advise the Council to adhere. The principles which guide us in those matters are quite clear; we try to reconcile the interests of public and private business and the interests of members of different creeds. It is not altogether an easy task, and it will be within the recollection of Hon'ble Members that when we made a recent change curtailing the number of Hindu holidays under the Negotiable Instruments Act, it was not altogether favourably regarded by some of our Hindu friends. The whole list hangs together, and we should not interfere with it unless for very strong reasons. The Muhammadan community has a right to expect that we should respect their susceptibilities, which we endeavour to do, and that we should give their community a reasonable share in the total list, which we also try to do, but I am afraid we cannot hold out any expectation of doing more. On behalf of Government we are not prepared to accept this resolution."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord,—I beg to support this resolution because I think that the matter is of such importance to my community that I should not give a silent vote when this question has come up for discussion in this Council. It is true that, as the Hon'ble Sir Henry Wheeler has pointed out, that holidays can be divided into three classes. Those under the Negotiable Instruments Act necessitate a practical cessation of business all round. The recommendation, however, contained in this resolution is not for a holiday under the Negotiable Instruments Act and we therefore need not consider that aspect of the question. Then there are holidays of the second class in which all courts and offices are closed and it is open to private employers of labour and other parties to suspend business or not. So far as the courts are concerned, if it is merely a holiday for the Muhammadans it causes inconvenience to members of that community because there are cases in which the parties happened to be Muhammadans or the legal advisers engaged on either side happened to be Muhammadans and the cases cannot be stopped in the interests of the Muhammadans without stopping the whole business of the court. Therefore, in case of holidays of this class it comes to this: that Government offices and courts and other places of business with which Government have got any concern have to suspend their business on that particular day. Then there comes the third class of cases in which Muhammadans are permitted to absent themselves but the work of the office goes on as usual. Under this class of holidays Muhammadan employees can be allowed to absent themselves from office, but so far as the courts are

concerned the business goes on as usual. Therefore, it will be seen that holidays of the third class in which Muhammadans are allowed to absent themselves do not touch offices of private employers nor do they touch courts or other public places of business with which the Government is concerned. It is only Government offices, for instance the Secretariat, which can be called upon to allow Muhammadan employees to absent themselves on that particular day. I feel that no argument has been advanced on behalf of the Government in refusing to accept this resolution, which I, for myself, can accept as convincing on behalf of the Muhammadan community. The holiday that is asked for is only for one particular day and it is only for a small section of Government officers. If there is to be a dislocation of business at all it would be of such minor character as not to interfere with the work. At the same time it will be a great concession to members of the Muhammadan community because this festival is an important festival after all. The instance which Sir Henry Wheeler has referred to was the one which took place in Birbhum and it caused a sort of indignation amongst the Muhammadans in that part of the country. We are told that there is no order from the Government that in cases of Muhammadan employees absenting themselves they are required to furnish substitutes for themselves. In spite of the absence of such an order the head of the office actually called upon the Muhammadan employees before they could be permitted to leave their work to furnish substitutes. This is a most arbitrary procedure and the fact that a thing of this kind could occur, necessitates the taking of some definite action in this matter. In spite of the existence of this circular, a case like this has happened and who knows that a case like this would not occur again elsewhere. Only in this particular case, my friend here was on the alert as soon as he came to know of it and I have no doubt that a thing of this kind will not recur in that district, but there are places where my co-religionists are not so active or wakeful to their interests in which orders like this might be disobeyed. It is true that there is the circular, but it can be more honoured in the breach than in the observance thereof. My Lord, in my opinion the instance that occurred at Birbhum may afford an opportunity not merely to renew the circular so far as that particular district is concerned but it may also be circulated all over the Presidency. A reference might be made and distinct orders issued that things of this kind should not occur. If this is done, I cannot say whether that will be acceptable to my friend or not, but so far as the resolution is concerned, I support it whole-heartedly."

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord,—When I asked for a holiday I never meant that it should be a holiday under the Negotiable Instruments Act. The Hon'ble Sir Henry Wheeler has said that two or three days have been added to the list of holidays at the request of the Hon'ble Mr. Ghaznavi. But if I remember rightly the only thing that was done at the Hon'ble Mr. Ghaznavi's request was to transfer three Muhammadan holidays from Class II to Class I, and so far as this question of Shabi-barat is concerned I think my community will be satisfied if some means be provided by which Muhammadan employees of public offices could absent themselves from their offices without incurring the displeasure of the heads of offices and by which the Muhammadan public, by which I mean Muhammadan pleaders, mukhtears and witnesses are not made to attend to their business on that day. If any means can be found for this I think that will satisfy the members of the Muhammadan community, because there is no reason why it should be necessary to give a holiday to the rest of the people in this province who do not want a holiday. I beg to submit to your Excellency one fact that if the circulars are not given effect to and that fact is brought to the notice of the Government or of the public the result is, of course, that

something is done about those circulars. But it also results in the Muhammadans of the locality incurring the displeasure of the District Officers and they are sometimes put to trouble as some of them have been at Birbhum. I hope, my Lord, that Government will protect them from these difficulties. With these words I beg to withdraw my resolution."

The Resolution was then, by leave of the President, withdrawn

LIST OF BUSINESS—ITEMS Nos. 15—19.

The President said :—

"I have received an intimation from the Hon'ble Babu Akhil Chandra Datta that he cannot be present at the Council meeting to-day and he has asked me whether under these circumstances the resolutions which stand in his name can be postponed. But he has given me no reason for making this request. Under these circumstances, I consider that I should not be acting in accordance with the spirit of the rules or in accordance with past practice if I were to accede to it. I may point out, however, that it is open to any other Hon'ble Member who is present and who takes an interest in the motions which stand in the Hon'ble Babu Akhil Chandra Datta's name to move them in his place if they so desire."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"Will your Excellency kindly permit me to say a word. I know that after a resolution is moved or is withdrawn no similar resolution can be moved within a period of one year. But I do not know what happens if a member is absent and cannot move his resolutions. In such a circumstance, is it permissible to bring them up again?"

The President said :—

"If they are not moved then the resolutions go by default. That is equivalent to a resolution being withdrawn. That is why I brought to the notice of the Council that if any member wishes to move these resolutions he is entitled to do so."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"If the resolutions go by default can they be moved either in this form or in any other form within a year?"

The President said :—

"No, I do not think I could accede to that request because that would be equivalent to reversing the ruling I have just given. I want to make this point quite clear. The postponement of a resolution after it has once been admitted for discussion rests with the discretion of the President. The practice has been that the postponement shall not be permitted unless the mover who desires to have his resolution postponed gives an adequate reason for his request. In this particular instance the Hon'ble Member has given no reason at all. Under these circumstances, I consider that I have no option but to refuse his request."

LIST OF BUSINESS—ITEM No. 15.

The Hon'ble BABU SURENDRA NATH RAY, in the absence of the Hon'ble BABU AKHIL CHANDRA DATTA, moved the following resolution :—

This Council recommends to the Governor in Council that the annual exodus of the Government of Bengal to Darjeeling be discontinued.

He said :—

"My Lord, in January last I wanted to move the following resolution in this Council : 'This Council recommends to the Governor in Council that a Committee be formed consisting of official and non-official members of Council and report (1) as to whether the annual exodus to Darjeeling of nearly all the offices under the Government of Bengal, with their departmental heads, as is the practice at present is necessary, and (2) if necessary, what steps should be taken to curtail as far as possible the expenditure on such exodus.'

The above resolution, which was quite a modest one, was however disallowed under Rule 9 of the Resolutions Rules. I was therefore obliged to discuss the question of the exodus to Darjeeling in my last Budget speech in this Council. The question that I then raised was whether it was advisable to incur a large amount of money, nearly a lakh of rupees per annum, for the exodus to Darjeeling. The question practically remained unanswered by Government. It seems to me that the Government are very reluctant to appoint committees whose deliberations might bring to light many facts which Government may not like. The cost of the exodus to Darjeeling is increasing every year. During the administration of Sir Stuart Bayley in the years 1889 and 1890 the cost amounted to Rs. 29,786 and Rs. 29,780, respectively, while it was Rs. 96,568 in 1913 and Rs. 91,843 in 1915. In the year 1914, however, it was Rs. 68,749. The reason for this increase, from Rs. 29,000 to about a lakh of rupees, is not far to seek. While formerly only the Lieutenant-Governor and his Secretaries and occasionally the members of the Board of Revenue used to go to Darjeeling, now every head of a department, even the Inspector-General of Police, the Registrar of Co-operative Societies and the Director of Agriculture whose work is wholly in the plains thinks it necessary to run up to Darjeeling twice every year in order to do the work 'efficiently.' While the District officials, the European covenanted Subdivisional Officers, even the Commissioners of Divisions and District Judges, the Chairman of the Calcutta Corporation and the Improvement Trust, can work in the plains ungrudgingly from year's end to year's end and have done so from the time that the British Raj was established and before the expensive innovation was introduced, why should not the officers of Government, who have been fortunate enough to be heads of departments, think it necessary to go to Darjeeling to do their work. Is the work done by the heads of European mercantile firms or of the Banks in Calcutta less onerous than that of those Government officials who go up to Darjeeling? Unfortunately this theory that more work is done at Darjeeling than in Calcutta or that the work is done more efficiently was exploded by His Excellency Lord Carmichael in his reply to the address of the Darjeeling Municipality on the 1st November last. He said, 'I am afraid I cannot agree with those who profess to think that far more work is done in the hills than in the plains. In Bengal, at any rate, that is certainly not the case. When dealing with these files from which there is never any escape, I have often wished that Darjeeling were nearer Calcutta so that I might have got the information I needed quickly, but I was pleased to move for my enjoyment and for the sake of my health. Though I know that if I had been in the plains I could have done more work. I know, too, that many of my friends, especially of those who seem to me to work hardest, think the same thing and I cannot see why

Babu Surendra Nath Ray; Maulvi A. K. Fazl-ul-Haq.

we should not say so.' The *Englishman*, the leading Anglo-Indian journal of Calcutta, said at the time that 'the annual migration was a waste of money.' New healthy Calcutta, with its electric fans, is not what it was a quarter of a century ago. It is necessary that Government should always remain in touch with the people, should be in the midst of public opinion, should be in the centre of political life of the country and should be in the midst of men of business. To issue Resolutions and Communiques or mandates from the cool heights of the Himalayas does not unfortunately serve any useful purpose.

I for my part do not see any objection to your Excellency going to Darjeeling occasionally with your personal staff and a Secretary. We object to the annual migration to the hills. We object to the Government of the country being carried on from Darjeeling for more than one-third of the year because we believe that the Government of the country cannot be conducted in the sublime heights with the same efficiency as in the city and the centre of life of Bengal. There is no one to take care of the affairs of the people of Calcutta at a critical time, no one to whom the people could represent their grievances. The people in the mufassal can go to the District Magistrate or the Subdivisional Magistrate for the redress of their grievances, but the people of Calcutta nowhere."

The Hon'ble Maulvi A. K. FAZL-UL-HAQ said :—

"MY LORD—I beg to associate myself with what my hon'ble friend Babu S. N. Roy has said and to support the resolution because not only am I in sympathy with the spirit of the resolution but because I really confess that I wish to have a revenge on the Government for having rejected my first resolution. It is somewhat difficult to understand that I, an advocate of separatism, should stand up now and support a resolution which means in effect the recommendation for keeping the entire body of heads of departments at Calcuta. But, my Lord, after the rejection of my resolution things have changed and I must accept the position to which I have been driven and I must also admit that although I held a different opinion—very possibly I was wrong in the interests of administrative efficiency that all the departments should be located at Calcutta and there should be no break in the machinery of Government. I really fail to see when these two resolutions were in the agenda, Government did not see their way to accepting mine and thus converting me from an enemy to an earnest supporter. All that I would say is that the very same arguments that have been advanced against me could be advanced in favour of this resolution. Briefly speaking, the one argument that is advanced in favour of the Darjeeling exodus is the ground of benefit to the health of the heads of departments concerned. My friend who has moved this resolution on behalf of the Hon'ble Babu Akhil Chandra Datta has pointed out that high Government officials such as Commissioners of Divisions and also merchants and heads of mercantile firms stay all the while in the plains and carry on their work and it is rather inexcusable why heads of departments should be induced to leave Calcutta and go up to Darjeeling for the purpose of what they call the greater facility for the carrying on of administrative work. My hon'ble friend has not mentioned the High Court Judges who stay in Calcutta throughout the year and are none the less worse for the fact that they have carried on their work under somewhat unfavourable climatic conditions. If therefore all these high officials can carry on their work it is not quite easy to see how this argument of benefit to health can be put forward. It may also be pointed out that when this exodus to the hills was first decided on Calcutta was much less healthier than it is at the present moment. The climatic conditions have improved. The difficulties which a European meets with in passing his

days in Calcutta and the inconveniences owing to weather conditions have minimised to a great extent, and it is at the present moment not so uncomfortable, even in the hottest days of the year to live in Calcutta, owing to the amenities of electric fans. That argument therefore does not hold water at all at the present moment and there can be no question, although I was at one time not disposed to accept it, that the separation of some of the parts of the administrative machinery from the main part does to a certain extent injure the administrative machinery. In these circumstances and in view of the fact that public opinion is growing steadily against the Darjeeling exodus, it is time that the whole matter should be reconsidered and out of deference to public opinion, this exodus to Darjeeling should be abandoned. My friend has pointed out that it entails an expenditure of about a lakh of rupees and it is also a problem to be considered whether in the present time of financial stringency when many a scheme has had to be withheld on the ground of want of funds, a lakh of rupees should be allowed to be spent simply to allow the heads of departments a little holiday—if I may say so—in the hills at the public expense. I am told by some who know much better than myself that the Secretaries cannot do so much work at Darjeeling as they can at Calcutta. I do not know whether that is a fact—I may be mistaken. At any rate, it is an agreeable passage from the heat of Calcutta to the cool hill-station of Darjeeling. I hope, however, that the heads of departments should be prepared a little to forego it in the interests—if not for anything else—of financial considerations which are involved in this question. With these few words, I beg to support this resolution."

The Hon'ble MR. ALTAF ALI said :—

"My Lord, I had no wish to take part in this debate at this hour of the day, but I cannot help speaking a few words in connection with the resolution that has just been proposed by the Hon'ble Babu Surendra Nath Ray. My Lord, I do not really understand on what grounds the Hon'ble Member recommended that this exodus as he calls it should be discontinued. I could not also quite understand my friend Maulvi Fazl-ul-Haq's argument. I understood this much that they were going more on the financial question. After the establishment of the Presidency of Bengal when Your Excellency's stay for two months at Dacca was settled then Mr. Fazl-ul-Haq was anxious that some important departments of the Government, if not all the departments, should come up to Dacca every year and make a stay of two months here. In fact this morning we had a resolution to this effect. I think this move of all the heads of departments with their offices from Calcutta to Dacca entails certain amount of expenditure. I am not in a position to say whether the trip to Darjeeling costs more than this move to Dacca. Apart from that, being a resident of the Rajshahi Division, I feel it my duty to strongly oppose the resolution on the ground that if the trip to Darjeeling is discontinued we would miss Your Excellency and the several Secretaries and other high officials of Government and particularly miss them from within the Rajshahi Division."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"My Lord, as I was listening to the admirable speeches I thought I need not speak at all, but as the Hon'ble Babu Akhil Chandra Datta is absent and the Hon'ble Babu Surendra Nath Ray, so to say, has been delegated to speak in support of his favourite resolution, I think it my duty to support it, and I do support it on various grounds. The first ground is that being a Calcutta man I like Your Excellency and Your Excellency's Council and all heads of

departments to be in Calcutta just as my friend the Hon'ble Maulvi Fazl-ul-Haq likes to move them all to Dacca. My idea is quite different and I like them to stay in Calcutta. Secondly, this question involves a very important point and it requires very serious consideration. If at the present time Your Excellency's Government can save a lakh of rupees annually it will be a great gain. On the other hand, it will be argued that the health of the heads of Government may be affected, but I am not inclined to accept that. Work can be done in Calcutta very successfully and in Dacca. My second ground is that although it involves a question of some importance it may be tried even for a year and the work may be allowed to be carried on in Calcutta. The third ground is that the heads of the important offices cannot consider that they have got a prescriptive right—a right which has been enjoyed for many years—but they should adapt themselves to circumstances. My humble submission before Your Excellency is that they may consider whether the proposition is worth consideration or not. My fourth ground is an appeal to the officers themselves whether they can forego this concession. This will be of great advantage at this critical time. I lay great stress on this particular point and I do emphasise that it is for them to consider whether on such an occasion this trip to Darjeeling should not be discontinued. My Lord, I speak in support of my friend's resolution because I am persuaded to support it."

The Hon'ble Mr. Aminur Rahman said :—

"My Lord, the proposal made in this resolution has been the subject of acrimonious discussion on the platform and in the press. The findings of the Mesopotamian Commission have raised the question in all its fury again and I am not sure if this resolution has not suggested itself in circumstances which are familiar to us. It is difficult to say why the officials thought it advisable to migrate annually to a hill-station with all the paraphernalia of Government and in spite of the enormous expenditure that the exodus entailed. It may be that members of the governing body, once they had a taste of the cooler atmosphere of Himalayan heights, thought it would be a good thing if they adopted a policy by which they could perpetuate a method of enjoying the beauties and advantages of a hill-station. I do not think that there is much in the argument often adduced in most responsible quarters that officials can do better work during the hot season in Simla or Darjeeling than they can in the plains. This practice of carrying the whole establishment of Government from Calcutta to Darjeeling is of very recent growth. It is not even 30 years old. It is difficult to understand how the older members of the Civil Service who came to this country before the introduction of this practice ever carried on their work in the sweltering heat of Calcutta without even uttering a word of protest, and it is strange and curious that in all criticisms that are levelled against the Government we find a consensus of opinion that the older type of civil servants who used to carry on their work with touch of human sympathy moving about amongst the people were far more efficient and better loved and respected than any other body of men. Even now the district officers go on doing their work year in and year out with very little leave in the plains often in scandalously unhealthy districts. If the plains are good enough for these hard-working and responsible Government officials surely they are good enough for men who have passed the best years of their life as District Magistrates. We do not grudge a short respite from the strain and stress of their official life to men who have grown grey in the service of the State. But it is a different thing, which is open to very serious objection, when the whole body of officials go over to a place far away from the centre of the various activities of the people and live a life of comparative ease and comfort for very nearly half the year."

Rai Debender Chunder Ghose Bahadur; Rai Radha Charan Pal Bahadur.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said :—

"My Lord, my personal sympathies are with those who go to Darjeeling. I have been going to Darjeeling for the last 40 years. So far as I can remember Government officials were in the habit of availing themselves of the climate of Darjeeling at least for some weeks every year. I remember Sir Richard Temple spending a summer there and it was he and Sir Ashley Eden who brought Darjeeling within easy reach of Calcutta. That being so, I do not share the feeling of resentment expressed by some members who make it a grievance that a good deal of money is spent in the exodus of members of Government to Darjeeling. I believe that you can do more work in the hills than you can do in the plains in summer. That is a belief which is not based on other people's knowledge, but on personal experience. That being the case, I think it stands to reason that in the interest of public service we the tax-payers should not grudge the members of Government and others responsible for the administration of the country from enjoying the bracing climate of the hills in order that they might be able to do better work there and when they came down to the plains. I can quite understand the growing feeling amongst some against the exodus because of the increasing expenses connected with it as has been shown by my Hon'ble friend Babu S. N. Ray. But so far as I know, it is not a fact that every official who goes to Darjeeling does so at Government expense. My information is that the heads of departments go to Darjeeling at their own expense and they go for a limited time only. The cost of the exodus has increased no doubt, and the increase is due to various reasons. It has no doubt increased since Sir Stuart Bayley's time. But then the number of officers who used to go to Darjeeling was considerably smaller than what it is now. There are other officers now who go to Darjeeling some time every year to seek the advice of Government and this is also one of the causes for the increase. I think that the cost may be cut down, but if we are to recommend to the Government that the exodus should be stopped wholesale, it would be preposterous. There is another thing to be considered. If it were resolved to stop the Darjeeling exodus it would be very difficult to persuade English statesman to come out and take up the Governorship of this Presidency. I would therefore vote against the proposal."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, I was not prepared to speak on the subject until this morning because some of us believed that the discussion of this resolution would be taken up at a later meeting of the Council, but unfortunately the rules stand in the way. My Lord, it is at an unfortunate moment that this Mesopotamian inquiry has been taken up and have commented against the annual exodus of Government to the Hills. I do not exactly remember whether they have made any specific recommendation, but so far as I know the observations of the commission in their report have given rise to the agitation. I should not at the same time gainsay the fact that it is not the first time that the agitation has arisen, as I remember that in the year 1884 this question was taken up by public bodies and notably by the Chamber of Commerce and the British Indian Association. My Lord, the Hon'ble Babu Surendra Nath Ray has given some figures of the growing expenditure on the Darjeeling exodus. I remember in the days of Sir Ashley Eden and before him when people had to travel in carts and tongas, and when other inconveniences existed, the Lieutenant-Governor and his staff used to spend a month or six weeks at Hazaribagh or some such place when it was very hot in Calcutta. But of course the development of the railway system has changed all that. I believe the Darjeeling-Himalayan Railway was opened in 1880, and I remember that there was a grand fête at Darjeeling on that occasion to which many notable persons were

invited. Since that time Darjeeling attracted many people. But in those times all the heads of departments had not the privilege of going to Darjeeling. Except a few Secretaries none stayed with the Government at Darjeeling. But now most of the heads of departments follow Government to Darjeeling and stay there. Many of my own countrymen have to migrate annually to Darjeeling, but I do not think that all of them would like to go there. My Lord, it has been urged that if we want to have a nobleman from England as our Governor we should not give up Darjeeling. We must certainly consider the health and convenience of our Governor and in that respect I confess it is rather difficult to accept the resolution as it stands and that is the reason why we wanted to consider the matter. Further, there is another point on which we might have some information from the Hon'ble Member in charge as to whether it is intended to curtail the expenditure incurred by the Darjeeling exodus. I must confess that Englishmen, even when fresh from England, have always shown enough self-sacrifice whenever the exigencies of the State demanded it. I remember Lord Northbrook, who was in Simla when the terrible Bengal Famine of 1874 broke out, and he came down to Calcutta with his staff including Major Baring (afterwards Earl Cromer) and, accompanied by Sir Richard Temple, toured in the province during the prevalence of famine and both stayed in the plains throughout that period. Personally, my Lord, I would prefer to go to Darjeeling for one month when it is very hot in Calcutta instead of staying there for some months, and I sympathise with all those and specially with my Hon'ble friend, Mr. Bompas, who has to walk from gully to gully during the hot weather in Calcutta, but I do not know whether he would like to stay down in the plains when he becomes a member of the Executive Council. It is not strictly correct to say that more work can be done in Darjeeling than in Calcutta. Sir Henry Harrison who held the office of the Chairman of the Calcutta Corporation for ten years spent the whole of that time in Calcutta with occasional leave, of course, and he used to work from early morn till late at night for he was a very laborious man. So I do not think the work will in any way suffer if it is carried on in Calcutta, but at the same time I must say that although we wish that there should be curtailment of expenditure in connection with the exodus, I think that facilities should be given to officers to avail themselves more often of privilege leave so that they may maintain their health.

The Hon'ble SIR HENRY WHEELER said :—

"My Lord, the resolution we have now before us raises a very old controversy, and like all old controversies it has attracted around itself in the course of time a certain amount of misconception and, possibly, a certain amount of unconscious prejudice. We have had an amusing instance to-day of a frank avowal of conscious prejudice on the part of Mr. Fazl-ul-Haq, when he tells us that his attitude towards this resolution will be decided by the treatment accorded to another and different resolution but by unconscious prejudice I refer to the kind of feeling—perfectly human and intelligible—which is engendered by a residence in the plains on a hot day in May, when one may well say in exasperation : 'Why should I be grilling here while others are enjoying the coolness of the hills.' But, although the controversy is an old one and one which in some ways divides the official and non-official communities, it is a matter of satisfaction to me this afternoon that I have found support from at least two Hon'ble Members who recognise some of the factors in our position, thus relieving me partially from the odium of standing here alone as a mere selfish defender of vested interests.

In the descriptions which we have had from certain speakers of the so-called exodus we have heard, it is true, some of the adjectives which are ordinarily applied to that move, but I cannot but express a certain amount of disappointment that in the matter of word-painting Hon'ble Members

have not risen to the heights which are usually associated with the occasion. For instance 'Himalayan eyries,' 'hill-top Government,' 'Olympian heights,' 'basking on the mountain sides' are all hallowed words in this connection of which we might well have expected the repetition, while it is almost a disappointment not to have found ourselves called 'lotus-eaters.' From what we hear and read about this subject we might indeed draw a picture of a Government which at the first sign of a thermometer rising above 90 degrees, gathers together its manservants and maidservants throughout the province and betakes itself to a high mountain, expressing the cheerful hope as it leaves the Sealdah station that it may have the good luck to find the province still surviving when it comes down again in the cold weather. Arrived on the mountain tops it sinks into a complacent slumber, disturbed only by occasional midnight revels or bumble-puppy gymkhanas. Meanwhile the toiling millions remain below, alone, untended and unheeded.

That is the kind of picture which really sums up much of what is said on the subject, and I would ask the Council to consider whether the real facts are quite as bad as they are painted. What are the real facts? The real facts are that the district machinery of Government remains intact throughout the year in the districts and in Calcutta. I must say that the remarks of the Hon'ble Babu Surendra Nath Ray filled me with some astonishment when he said that in Calcutta there is no one in the hot weather before whom the people can lay their grievances. Surely there are the same local officers who are present in the cold weather, and what is really involved in the rather high-sounding word 'exodus' is that certain officials, mainly Members of Council, Secretaries and Heads of Departments, go to the hills from about the middle of April to the middle of June, and again from about the beginning of September to the end of October, and are permitted to do their work in Darjeeling. The number of these happy officials, by the latest figures I have before me, is about 34, and the cost, also on the last year's statistics, is about Rs. 91,000. These are the facts. It is not even for the whole hot weather that Government goes away, nor is it the whole of the Government that goes away, but merely a section of it which goes for two short periods divided by the period of their residence mainly in the town in which we now find ourselves.

Well, my Lord, these being the facts, what are the conditions which have brought about the present practice. It seems to me obvious that if work could not be carried out in these circumstances, the system could never have grown up; it would have broken down under its own weight. It happens, however, that Secretariat work is such as can be done for a part of the year in Darjeeling. As is well known to most Hon'ble Members, Secretariat work is largely concerned with reports. We have various agents scattered throughout the province, doing the first-hand business of Government and things from them come up in the form of reports for information, sanction, approval, and what not. That is one large field of Secretariat activity. Apart from that, there are such matters as projects of administrative reform and legislation, which are all worked up on the basis of reports collected from a wide field of official and non-official opinion, while, in addition, there is the general running of the administrative machinery in so far as it is concerned with cadres, appointments, finance and the whole centralised business of the province. Much of that work is paper-work. Anybody taking an efficient part in the work of Government must of course have the experience which comes from knowledge of men and contact with them, but my point is that that knowledge and contact are not destroyed by this four months' absence during which the Secretariat finds itself in Darjeeling.

That being the character of the work, I would next emphasise the continuous strain of it. I have been told that it was a saying of the late Mr. Gokhale

that the Secretariat wheels certainly grind slowly but not always very small; but I do not think the strain involved in keeping the wheels going round at all is quite appreciated. The stream of files, cases and papers which come before the Secretariat is almost unceasing, and unfortunately, with the development of administration in recent times, it shows little sign of diminution. That means that for the efficient handling of these papers, steadily and regularly, men must come to office and remain in office working hard and incessantly, day after day, with their faculties very much on the *qui vive*. The work is continuous and there is very little relaxation. Further, it scarcely needs elaboration to show that the work is responsible. The affairs of a large province like Bengal and decisions on matters affecting its whole area cannot but entail issues of extreme importance.

Therefore, you have continuous and responsible work, and next you have that work done, for the most part, by men who, inevitably, are not unfortunately in the first flush of youth. Members of Council, Secretaries and Heads of Departments will naturally be the senior men in the Services, and for the preservation of their energy in full flood they require a treatment which a younger man can do without. These are the three classes which form the greater part of the officials who go to the hills. Junior officers, such as Under-Secretaries, under a recent order only go up for part of the time, and this order is evidence of the desire of Government to reduce expenditure on this move as far as possible. Again it is only right to emphasise the point, which has been noticed by one of the speakers to-day, that Heads of Departments do not go to the hills at the public expense. They pay their own expenses.

That is the kind of work you have done in the Secretariat and the class of men who do it. The only other point is that the work for its efficient performance requires continuity of tenure. We often hear a great deal about transfers, and transfers are undoubtedly a hindrance to administration. But as far as possible in the Secretariat and in the cases of Heads of Departments an endeavour is made to avoid changes by expecting a certain length of tenure. Thus the Head of a Province and a Member of Council ordinarily stay for five years, and Secretaries and Under-Secretaries for three years. It is essential for the smooth working of the machinery that there should not be constant absences or short breaks among the personnel, and that answers the suggestion of the Hon'ble Rai Radha Charan Pal Bahadur, that all difficulties could be met if men in the Secretariat were constantly absenting themselves on short privilege leave.

These being the conditions under which work is done, we come to what, to my mind, is the justification of the present practice. Work of the kind explained can be done more efficiently by allowing the men who are doing it to go to the hills for these two short periods. It seems to me obvious—and in fact it has been admitted this afternoon—that the bodily health and mental vigour of men who can escape from the plains in April and May and in September and October are enhanced by this respite from the heat, while better health and keener energy should ensure a higher standard of work done. That is the kernel of the case for the move to the hills, that it makes for efficiency; that the work does not suffer by the practice, and that whatever cost is entailed in the move is recouped by the better quality of the work which is turned out. That seems to me to be an adequate justification.

The disadvantages which are alleged have mostly been referred to this afternoon. The first is possibly based largely on the stories of a well-known writer and is to the effect that Government spends its days in the hills in one round of idle gaiety. That is a charge which I am not prepared to admit, nor do I think that it is admitted by men who have any real experience of the system, and I have known the system both at Simla,

have not risen to the heights which are usually associated with the occasion. For instance 'Himalayan eyries,' 'hill-top Government,' 'Olympian heights,' 'basking on the mountain sides' are all hallowed words in this connection of which we might well have expected the repetition, while it is almost a disappointment not to have found ourselves called 'lotus-eaters.' From what we hear and read about this subject we might indeed draw a picture of a Government which at the first sign of a thermometer rising above 90 degrees, gathers together its manservants and maidservants throughout the province and betakes itself to a high mountain, expressing the cheerful hope as it leaves the Sealdah station that it may have the good luck to find the province still surviving when it comes down again in the cold weather. Arrived on the mountain tops it sinks into a complacent slumber, disturbed only by occasional midnight revels or bumble-puppy gymkhanas. Meanwhile the toiling millions remain below, alone, untended and unheeded.

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that the Secretariat wheels certainly grind slowly but not always very small; but I do not think the strain involved in keeping the wheels going round at all is quite appreciated. The stream of files, cases and papers which come before the Secretariat is almost unceasing, and unfortunately, with the development of administration in recent times, it shows little sign of diminution. That means that for the efficient handling of these papers, steadily and regularly, men must come to office and remain in office working hard and incessantly, day after day, with their faculties very much on the *qui vive*. The work is continuous and there is very little relaxation. Further, it scarcely needs elaboration to show that the work is responsible. The affairs of a large province like Bengal and decisions on matters affecting its whole area cannot but entail issues of extreme importance.

Therefore, you have continuous and responsible work, and next you have that work done, for the most part, by men who, inevitably, are not unfortunately in the first flush of youth. Members of Council, Secretaries and Heads of Departments will naturally be the senior men in the Services, and for the preservation of their energy in full flood they require a treatment which a younger man can do without. These are the three classes which form the greater part of the officials who go to the hills. Junior officers, such as Under-Secretaries, under a recent order only go up for part of the time, and this order is evidence of the desire of Government to reduce expenditure on this move as far as possible. Again it is only right to emphasise the point, which has been noticed by one of the speakers to-day, that Heads of Departments do not go to the hills at the public expense. They pay their own expenses.

That is the kind of work you have done in the Secretariat and the class of men who do it. The only other point is that the work for its efficient performance requires continuity of tenure. We often hear a great deal about transfers, and transfers are undoubtedly a hindrance to administration. But as far as possible in the Secretariat and in the cases of Heads of Departments an endeavour is made to avoid changes by expecting a certain length of tenure. Thus the Head of a Province and a Member of Council ordinarily stay for five years, and Secretaries and Under-Secretaries for three years. It is essential for the smooth working of the machinery that there should not be constant absences or short breaks among the personnel, and that answers the suggestion of the Hon'ble Rai Radha Charan Pal Bahadur, that all difficulties could be met if men in the Secretariat were constantly absenting themselves on short privilege leave.

These being the conditions under which work is done, we come to what, to my mind, is the justification of the present practice. Work of the kind explained can be done more efficiently by allowing the men who are doing it to go to the hills for these two short periods. It seems to me obvious—and in fact it has been admitted this afternoon—that the bodily health and mental vigour of men who can escape from the plains in April and May and in September and October are enhanced by this respite from the heat, while better health and keener energy should ensure a higher standard of work done. That is the kernel of the case for the move to the hills, that it makes for efficiency; that the work does not suffer by the practice; and that whatever cost is entailed in the move is recouped by the better quality of the work which is turned out. That seems to me to be an adequate justification.

The disadvantages which are alleged have mostly been referred to this afternoon. The first is possibly based largely on the stories of a well-known writer and is to the effect that Government spends its days in the hills in one round of idle gaiety. That is a charge which I am not prepared to admit, nor do I think that it is admitted by men who have any real experience of the system, and I have known the system both at Simla,

which is supposed to be the burden of that particular author's song, and at Darjeeling

Another argument that is often urged is based on the total cost involved, but if my contention is correct that you gain in efficiency all round, then I maintain that the price paid is by comparison trifling. I would like to correct an impression which might be created by a remark by one Hon'ble Member that the cost of the move is steadily increasing That is not correct. It is true that the cost of the move is greater now than what it was in the earlier days of the province, but that is largely the sequel to the general increase in the cost of administration owing to the appointment of more men to deal with the new activities on which Government is constantly embarking and the increasing volume of work. But the present figure, Rs. 91,000, which I have already mentioned, compares favourably, for instance, with Rs. 98,000 which was incurred in 1904 and Rs. 1,17,000 in 1907. It is not the case that the cost of the move is growing in a constantly ascending scale.

Then, Sir, another argument is that business is very badly dislocated while the officers are in transit. I do not think any Hon'ble Member has referred to this point, though I happened to see it mentioned in a well-known reprint which one of the Calcutta papers produced the other day. It was stated that the dislocation caused by the move practically put the work of Government out of gear for, I think it was calculated, several weeks in the course of the year. I can only say that under arrangements such as are now in force at the time of the move to Darjeeling there is no reason why there should be any appreciable interruption in the conduct of business.

Then we come to another point of which we have heard much this afternoon, namely, that the move to the hills takes Government out of contact with the people whose affairs it is supposed to manage. Here, again, there is frequently much misconception. In the first place what are the practical limitations of this contact which is so essential to good government. It is clearly impossible for Government to be present bodily at every place or even at every important place in the province. The best it can do is to have its headquarters somewhere from whence it can move, either as a whole or by the agency of individual members, to the various parts of its jurisdiction as the necessity for so doing may arise. What the argument about maintaining contact really means, as in fact has been admitted to-day, is that Government should always remain in Calcutta. Well, Sir, my first point is that Government is already in close contact with Calcutta, accessible to people there, and known to people there, thus fulfilling the conditions which are essential for efficiency, while its absence for these two short spells does not break that contact. Secondly, Sir, even while Government is away, that touch can be maintained. In modern days like these it is obvious that even at a distance contact can be kept up. The post office, telegraphs, the press, public meetings are all ready channels of communication available for keeping Government apprised of the doings and thoughts of people who are actually at some distance from them. Finally, it is an arguable point in so far as the question of contact reduces itself practically to the contention that Government should always be in Calcutta, whether it is not advantageous for Government during some period of the year to be away from Calcutta. Calcutta is and always must be the most important city in the province, and, as we all like to think it, the most important city in India; but it is not the whole province. Its problems and conditions are peculiar to itself, while the problems of the districts are peculiar to the districts, and it does not necessarily follow that by judging all problems through the spectacles of Calcutta we are best serving the interests either of the administration or of the people. I say this without any disrespect for, or want of appreciation of, the importance of

Calcutta. It is the predominant factor in the administration of the province, but there is the other side.

Well, Sir, that is the defence that I would take as regards this move to the hills. That work there is done effectively ; it is not done at a disproportionate cost, and the disadvantages—which we are told the system entails—are not so real as some Members would like us to think.

Of the details which have been raised in the course of debate there are few which are not covered by what I have already said. A reference has been made to the views of Lord Carmichael, and it would not be proper that I should pass them by in silence, as they are entitled to the respect due to his great experience, sagacity and judgment. But they were his personal views. I do not think they are shared by the majority of men who are concerned with work at the headquarters of Government and whose experience of this country is longer than Lord Carmichael's. It is noticeable that within a few months of Lord Carmichael's statement the Hon'ble Mr. Lyon, my predecessor in office, expressed a directly contrary opinion.

Then, Sir, we have had the case of the High Court mentioned, but one Hon'ble Member has already pointed out that the conditions are in no sense analogous in so far as the judges betake themselves to Europe for about ten weeks, and this total absence from the country must surely cause a larger dislocation of business than anything that can be attributed to the move to Darjeeling.

The whole thing comes down, I think, to a question of practical fact. Is it the case that since the practice of spending a portion of the year on the hills has been in force Government is divorced from the interests, affairs and sentiments of the province? Is it the case that Government is not reasonably aware of what is passing in the minds of the inhabitants of the province and of the conditions appertaining to their welfare? These are the practical questions, and to ensure a condemnation of the present practice, they should be answered in the affirmative, while I submit that the contrary is the fact. For all these reasons, I would put it to the Council that there is more to be said for the present system than perhaps some of them are inclined to believe."

The Hon'ble BABU SURENDRA NATH RAY said :—

"My Lord, I was very much surprised to hear the speech of my Hon'ble friend, Rai Debender Chunder Ghose Bahadur, on the question of the Darjeeling exodus, but when I remember that he has been fortunate enough to lead an easy life for the last 25 years my surprise became less. He must have worked for nearly 40 years, but does he think that the District Judges with whom he worked were doing their work inefficiently because they were doing it at Alipore and not at Darjeeling? There are about 29 districts in the Presidency of Bengal at the present time and there are, I think, about 20 European covenanted members of the Civil Service who are Judges in charge of them. I think they work from year's end to year's end without going to Darjeeling, but do you mean to say that these conscientious Judges do their work inefficiently? There are five Commissioners of Divisions of which only one is fortunate enough to go to Darjeeling now and then, and is it to be said and is it a fact that all the other Commissioners of Divisions do their work less efficiently than any head of department under Government? Subdivisional Officers who are covenanted members of the Indian Civil Service are sometimes promoted as Under-Secretaries to Government. They can then go to Darjeeling though I think Under-Secretaries are only allowed to go up now for six weeks or two months in the year. The same Under-Secretary is then promoted to a District Magistracy and as a District Magistrate he has to work in the plains and not at Darjeeling. Are we to be told

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that this District Magistrate works less efficiently than when he was Under-Secretary? Secretaries to Government are promoted to Commissionerships. Are we to be told that they work more efficiently as Secretaries than as Commissioners of Divisions? This is happening every day. What we object to is that all heads of departments should think it necessary to accompany the Government to Darjeeling twice every year. There is no doubt great force in the argument that posts and telegraphs have annihilated distance. Yes, they have annihilated distance, but if we carry this argument to its logical conclusion it leads to this: We have a Viceroy at Simla and instead of a Governor in each Presidency, let there be Deputy Governors and let them with their offices and heads of departments have their head-quarters all at Simla and do their work from there because posts and telegraphs have annihilated distance. Within the course of two or three hours telegraphic messages can be sent and replies received and letters can reach only in two days. These are facts to be remembered about the exodus question. What I say is that the Government of a province ought to be in the capital so that the officials may come in contact with the people so that the latter may lay their grievances before them."

A division was then taken with the following result :—

Ayes 10.

The Hon'ble Dr. Nilratan Sarkar.
" " Mr. Aminur Rahman.
" " Mr. Arun Chandra Singha.
" " Rai Radha Charan Pal Bahadur.
" " Dr Abdulla-al-Mamun Suhrawardy.
" " Maulvi Abul Kasem.
" " Maulvi A. K. Fazl-ul-Haq
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Surendra Nath Ray.
" " Babu Kishori Mohan Chaudhuri

Noes 18.

The Hon'ble Mr. N. D. Beatson Bell, C.S.I., C.I.E.
" " Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Sir S. P. Sinha, Kt.
" " Surgeon-General W. R. Edwards, C.B., C.M.G.
" " Mr C. J. Stevenson Moore, C.V.O.
" " Mr J. H. Kerr, C.S.I., C.I.E.
" " Mr J. G. Cumming, C.S.I., C.I.E.
" " Mr. J. Donald.
" " Mr. F. A. A. Cowley.
" " Mr C. H. Bompas
" " Mr W. W. Hornell
" " Mr S. W. Goode.
" " Mr. E. B. H. Panton.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " Mr J. Mackenzie.
" " Rai Debender Chunder Ghose Bahadur.
" " Mr. F. W. Carter, C.I.E.
" " Mr. Altaf Ali.

The following members were absent :—

The Hon'ble Mr. B. C. Mitra.
" " the Nawab Bahadur of Murshidabad.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. R. Glen.
" " Mr. Provash Chunder Mitter.
" " the Maharajadhiraja Bahadur of Burdwan.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Dr. Deba Prasad Sarbadhikari
" " Sir A. Birkmyre, Kt.
" " Mr. E. B. Eden.
" " Mr. E. A. Martin.
" " Mr. H. R. A. Irwin.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Babu Bhabendra Chandra Ray.
" " Rai Sri Nath Ray Bahadur.
" " Babu Akhil Chandra Datta.
" " Babu Mahendra Nath Ray, C.I.E.
" " Mr. K. B. Dutt.
" " Babu Ambika Charan Mazumdar.

The Ayes being 10 and the Noes 18, the motion was lost.

Rai Radha Charan Pal Bahadur; Mr. Mackenzie.

LIST OF BUSINESS—ITEM No. 16.

The Hon'ble Rai RADHA CHARAN PAL BAHADUR, in the absence of the Hon'ble Babu AKHIL CHANDRA DATTA, moved the following resolution :—

This Council recommends to the Governor in Council that Government do take into consideration the amendment of the Bengal Municipal Act, 1884 (Ben. Act III of 1884), and of the Bengal Local Self-Government Act of 1885 (Ben. Act III of 1885), with a view to abolishing the system of appointment and nomination of members in the Municipal, District and Local Boards and to constitute them on a purely elective basis.

He said :—

"My Lord, I was under the impression that this resolution would stand over till the next meeting so as to enable the Hon'ble Member, who is the author of it, to move it himself. But I find that, according to Your Excellency's ruling, it will be deemed to be withdrawn and cannot be moved within a year. I have thought it my duty to move it formally, with a view to elucidate the views of Government on the matter embodied in this resolution."

The Hon'ble MR. MACKENZIE said :—

"My Lord, I am sorry to inflict myself on the Council at the end of a very long day, but I feel it is my duty to oppose this resolution.

I do so mainly in the interests of the Mill Municipalities on the banks of the Hooghly.

With the resolution in its wider application I do not feel competent to deal.

I can say, however, with confidence that so far as the Mill Municipalities are concerned no case can be made out in favour of any change from the present system of nomination.

These mill towns owe their existence entirely to the growth of industrial enterprise chiefly connected with the jute trade.

Where a little over 20 years ago there was little but jungle we now have a series of thriving towns, steadily growing in importance and population. It would be safe to say that of the entire population over 95 per cent. is dependent, either directly or indirectly, on the Mills for their livelihood. To give an idea of the importance of some of these towns I cite Titagarh which is purely a mill area and which, according to the Consus of 1911, had a population of no less than 72,776. The population of Titagarh is now probably close on 100,000, earning wages in the mills that cannot be far short of a crore of rupees a year.

The percentage of taxpayers in these mill towns is very small. I find on referring to the Bengal Administration Report for 1915-16 that whereas the percentage of ratepayers residing within municipal limits averaged 16·11 over the whole province it varied from 35·8 in Bogra to 3·5 in the mill town of Titagarh.

Some of the Mill Municipalities originally formed part of other municipalities as, for example, Titagarh which I have just mentioned and Garulia which formed parts of the South and North Barrackpore Municipalities, respectively. These Municipalities then as now were constituted on the

elective basis. At that time there was continual trouble over the administration of the mill areas.

The Mill authorities found it impossible to make proper conservancy arrangements or to carry into effect reforms which they considered absolutely essential for the sanitation of the mill bustees.

As a result of representations made to Government the mill areas were eventually formed into separate Municipalities, Government nominating the Municipal Boards, the Chairman usually being the manager of one or other of the local Mills. These men brought to the Boards technical and engineering knowledge and experience which has proved of the utmost value and the record of progress made by these Municipalities under the *régime* then instituted is within the knowledge of Government. Indeed it stands to reason that the present system must be conducive of the best results. The bulk of the taxes are paid by the Mills who are therefore interested to see that their money is spent to the best possible advantage. One of the chief aims of successful Mill Management is to maintain a healthy and contented labour force and the interests of the workers are therefore synonymous with those of the Mills themselves.

Quite apart from what has been done by the Municipalities the Mills themselves have done a tremendous amount of valuable work for the improvement of the mill areas by the installation, at great cost, of septic tank latrines, by the provision of filtered water for drinking, by the lighting of the streets and by valuable contributions to the improvement of the drainage and the construction of roads.

I should just like to read what is said in the Administration Report of Bengal for the year 1915-16 regarding the working of these Municipalities. It is as follows :—

'The Administration of the Mill Municipalities such as Titagarh, Naihati and Bhatpara which have had their resources augmented by substantial help from the Mills was business-like and efficient.'

By way of contrast I might read what is said regarding certain other Municipalities :—

'Other small rural Municipalities, however, were unsatisfactory.'

And again :—

'The record of the Municipalities in the Burdwan district is generally unsatisfactory. Of Burdwan it is reported little good can be said : the roads are bad, the drains are not flushed, the water-supply is abused with impunity, the finances are mismanaged and in confusion, the Municipal Board is rent by faction.'

I am not here, however, to decry other Municipalities. I am only concerned to maintain that so far as the Mill Municipalities are concerned, no change is either necessary or desirable, on the contrary to my mind is most undesirable. To suggest as an effective substitute for the present business-like and efficient management a body elected by the votes of an almost negligible minority of the population, most of them illiterate, and to suggest that such a body represents either the taxpayer or the population is to my way of thinking to suggest an absurdity.

On these grounds therefore, my Lord, I strongly oppose the resolution."

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord, although I have every sympathy with the motive which actuated my Hon'ble friend to give notice of this resolution, I am sorry I cannot support it as it stands. In the first place, the resolution asks us to

Maulvi Abul Kasem; Babu Surendra Nath Ray; Rai Mahendra Chandra Mitra Bahadur.

abolish the system of nomination and demands to have Municipalities and Local Boards to be on a purely elective basis. As it is, it is impracticable. First, because a certain amount of official experience is necessary in conducting the affairs of District Boards and Municipalities, and secondly, because this resolution does not take into consideration the Muhammadans wherever they are in a minority. I think time has come, my Lord, when some further advance should be made in the direction of increasing the number of elected members, but I am not prepared to say that the time has come yet when the elected principle could be introduced wholesale in District Boards and Municipalities. I will not say more on this occasion because I have a resolution on the same subject, but in another form for the next Calcutta meeting. With these few words, I oppose this resolution."

The Hon'ble BABU SURENDRA NATH RAY said :—

"I shall say only a few words with reference to this resolution. I endorse everything that has been said by the Hon'ble Mr. Mackenzie. I represent the Municipalities of the Presidency Division in this Council and I think I have greater experience of mufassal municipalities than any other member of this Council. I have been connected with Municipalities for the last thirty years and I know what the mill-owners have done on both sides of the Hooghly. The mill Municipalities which have been created by their exertions, are being financed by them and in fact they owe their very existence to these mill-owners. If these mill-owners had not financed these Municipalities they would have been nowhere. I am therefore sorry, my Lord, that I cannot support the resolution of my Hon'ble friend for I know that these mill Municipalities cannot be constituted on a purely elective basis. Then the interest of minorities will also have to be taken into consideration both with reference to District Boards and Municipalities. With these few words, I oppose this resolution."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"My Lord, as regards the observations of my friend, the Hon'ble Babu Surendra Nath Ray, I may say that I have got a little experience of Municipalities too. I have been a Chairman not of one Municipality but of several Municipalities and I have seen their working for the last 40 years. It cannot be denied that mill authorities have done something for riparian Municipalities, but at the same time I must say that as far as I know the mill authorities are virtually the persons who decide the fate of the ratepayers. Even if the elective system be introduced it would be of no use because the mill employees will be elected as Commissioner of those Municipalities. In fact, if I understand properly the administration of riparian Municipalities I can very safely submit to your Excellency that this is the case. I may refer to the Bhatpara Municipality which is practically a mill Municipality. The mill-owners are busy men, they have got little time to spare and they cannot devote their energy to municipal work although they have money. These are circumstances which ought to be considered by your Excellency's Government. No doubt reports are coming in to your Excellency's Government that the work is very satisfactory, that the drainage works and waterworks are carried on satisfactorily by the mill authorities, but they do not say anything about the grievances of the taxpayers. So far I can say that there is a feeling in mill Municipalities that their Municipalities ought to be constituted on the elective basis. So far as regards mill Municipalities.

As regards mufassal Municipalities which are not mill Municipalities and in which the principle of election was introduced long ago and the elective system is in operation, I would point out that in them two-thirds

Rai Mahendra Chandra Mitra Bahadur; Babu Kishori Mohan Chaudhuri; Dr. Abdulla-al-Mamun Suhrawardy.

of the Commissioners are elected and one-third nominated. The principle of nomination was accepted by Government on the idea that all classes of people would be represented in the Municipal Board. That principle even now is accepted. But the question has arisen whether the elective system is to be introduced *in toto* and it is for your Excellency's Government to decide it. A few of the Commissioners are of opinion that the number of nominated Municipal Commissioners should be reduced from one-third to one-fourth, but in no case I consider that the nomination principle is now to be discontinued because in the mufassil Municipalities we find that the leading men do not come forward on the election ground to be elected as Commissioners, and it is necessary in the interest of Municipalities that they should be and should continue to be Commissioners. Therefore, I do submit to your Excellency that the working of the mill Municipalities is not satisfactory so far as it goes, and I also submit that the elective system as recommended in the resolution does not meet with the approval of all; and if it is thought desirable that the number of nominated Commissioners should be reduced to a certain extent, I would submit that before the question is settled by this Council it is necessary that the opinion of the Municipalities should be taken. It is a very important question and therefore nothing ought to be done in hot haste. The opinions of Magistrates, public bodies and of Commissioners themselves should be taken on the subject."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, I have been listening with interest to the various opinions expressed by my Hon'ble friends. I am the representative of Municipalities of the Rajshahi Division in this Council and I think that the time has come when the elective principle should be introduced in all Municipalities. Since 1884 the elective principle has been introduced in the majority of Municipalities and since 1885 in the majority of District Boards. There is no reason why after thirty years' experience the people should not be educated enough to know their rights and to be able to manage their own affairs. Even if the elective principle be introduced it will not deprive the District authorities of all control over the working of these institutions. Some of my friends are very anxious to see the nomination system continued, but I do not see where is the advantage of it. If the elective system is introduced people will understand how to manage their affairs, and the affairs that are under the control of the local bodies, I mean District Boards and Municipalities, are not of such importance as it is impossible to carry on the work without additional help even when it is under the direct control of the District authorities. So I think that an advance should be made and the elective system introduced if not in its entirety but at least some of the Municipalities and District Boards should be selected and given a right of election *in toto*. Of course, I sympathise with the views expressed by my Hon'ble friend, Rai Mahendra Chandra Mitra Bahadur, that the opinions of local bodies concerned should be taken. But I would remind my Hon'ble friend that time is ripe for us that we should get the elective system at an early date. And if the right of election is granted, I am sure people will be able to manage their own affairs under the supervision of the authorities. If there be any misconduct the right can be taken away from the local body concerned. It is not right to say that we are not fit to manage our own local affairs."

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY said :—

"My Lord, in the interest of the Muhammandan community I oppose this resolution. The abolition of the system of nomination in District and Local Boards would, I am afraid, result in a total disregard of the interests of minorities. It is quite obvious that even under the existing systems the

Muslim element is so weak in the Municipalities and District Boards that out of 12 members representing these bodies in this Council there is only one Muhammadan member and, if I am not mistaken, in the Corporation of Calcutta, but for the system of nomination there would not have been a single Muhammadan member. Whatever be the virtues of the elective principle, nomination has its advantages. But for nomination we would not have in this Council the advantage of having the Hon'ble Dr. Nilratan Sarkar as a member, and but for the system of separate electorate, this Council would not have had the benefit of the presence of my Hon'ble friends, Messrs. Fazlul-Haq and Abul Kasem, and without them it seems the work of the Council would not have proceeded far to-day. These are my reasons for opposing this motion."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, on the main discussion I may refrain from saying anything because with the exception of the Hon'ble Babu Kishori Mohan Chaudhuri the House seems entirely opposed to this resolution. I think it is necessary to say a few words. But notwithstanding the diversity of opinion between non-official members of the House Government of its own motion intends to extend the system as far as possible. What are the facts? Under the Municipal Act there is a schedule which at the time when the Act was enacted contained 36 names of municipalities, this is the first schedule, and with regard to these municipalities it was enacted that all the Commissioners were to be appointed by the Local Government, but it was open to the Local Government to remove as often as they liked municipalities from that schedule, that is to say, from a non-elective basis to such elective basis as the Act allowed. The facts are that Municipalities have been steadily removed from the first schedule, and the elective principle has been introduced steadily into municipalities where it had not been in force before, until now of the 36 which were contained in the schedule when the Act was passed, six only remain. Five were removed only as lately as 1915-16, viz., Darjeeling, Nawabgunge, Netrokona, Patuakhali and Jhalakati, so that throughout, from the very year the Act was enacted, there has been a steady advance in the way of introducing the elective principle where it did not exist before and Government contemplates going on in the same direction as long as it is necessary and whenever it is possible. But it will be idle to suggest that the elective principle can be wholly introduced in the sense of doing away with all nominations. The Hon'ble Members are aware of the object of keeping a certain number out of the whole number of Commissioners eligible not by election but by nomination firstly for the purpose of having some amount of official experience represented on the Boards which might not be otherwise possible, and secondly, of providing for the representation of minorities—in some municipalities Hindus are in the minority and in some Muhammadans are in the minority and it is absolutely impossible that we can do away with the principle of nomination altogether. But that when the further amendment of the Municipal Act is taken up we hope to extend the amount of election that is permissible under the Act (under the Act it is two-thirds and one-third) and when the minority will not require representation, we may be able to reduce the number of nominations to that extent and to increase the number of elected members, but that will depend upon the circumstances that will arise and it is not possible for me to pledge the Government as to the extent to which we shall be able to extend the number of elected members.

So far as District Boards are concerned the Hon'ble Members know that under the Act it is only where Local Boards have not been established throughout the area of the district that District Boards are filled not by elected members but by nominated members. When the whole of a

district has been mapped out into Local Boards then a certain number must be elected, the rest being nominated. Well, as a matter of fact, the only districts which have no Local Boards now are Chittagong, Bogra and Malda, so that with the exception of these three and two others which have no Local Boards throughout the area, that is, with the exception of five, the elective system does obtain in every district. It has been in contemplation for some time past to introduce Local Boards into the three districts where there are none and in the other two districts to have Local Boards throughout their areas. If we have not done anything up to now it is because there is soon going to be a change with regard to Local Boards themselves. They are going to be supplanted by Circle Boards and it is hardly any use making a change when we are doing away altogether with Local Boards in the near future. It will be clear to the Hon'ble Members that the Resolution does not recognise the fact that elective principle does exist in almost all the districts, and that the exigencies of the circumstances require a certain amount of nomination to secure official experience and representation of minorities. But the moment this necessity does not exist we will be able to diminish the number of nominated members, but I cannot state when we shall be able to do away with the right of nomination or when we shall increase the number of elected members or the precise way by which we shall be able to increase it.

It is hardly necessary for me to oppose this resolution, because the non-official members themselves say that it does not commend itself to them: but with regard to the larger question of the enlargement of the elective system, I thought it necessary to tell the House what the intentions of Government are."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, I am not the author of this resolution, but I am only its foster father. I am glad, however, that this resolution has given rise to an interesting debate. It will serve two purposes. Firstly, in these days when the air is ringing with the cry of larger self-government and home rule, your Excellency's Council will be agreeably surprised to note the tone of moderation and wisdom which prevails in the utterances of non-official members of this Council. They quite appreciate the necessity of powers being vested in the hands of Government to nominate a certain number of representative men on the Municipalities and District Boards to protect the interests of minorities. It also shows that the demand for larger self-government in these matters is quite consistent with the principle of steady and progressive development of the policy of complete self-government within the Empire. Secondly, I am glad that it has given an opportunity to the Hon'ble Member representing the Government, Sir S. P. Sinha, to explain so lucidly, ably and sympathetically the attitude of Government with regard to the question of the expansion of self-government. Ordinarily I would not have said anything further on this subject, but for the remarks of the Hon'ble Mr. Mackenzie. I have listened with some interest to his speech. We have also listened to the speeches of one of the veteran Municipal Chairmen of mufassal municipalities of long standing and experience, viz., the Hon'ble Rai Mahendra Chandra Mitra Bahadur, who has been successively for many years the Chairman of the Naihati, Hooghly and Chinsurah Municipalities. I do not know whether in all the mill municipalities or in some of them the system of nomination prevails. I am informed on the high authority of my Hon'ble friend, Mr. Mackenzie, that the nomination system pure and simple prevails, and the result is that notwithstanding the best intentions of Government and even the sympathy of the Hon'ble Mr. Mackenzie who represents the non-official European community of Bengal, the mill

managers, their assistants, clerks and employees swell the Municipal Boards, whereas other people who are interested are more or less excluded. This defect will, I hope, receive the attention of Government and especially of the Hon'ble Member in charge. It was nearly 33 years ago that the principle of two-thirds nominated and one-third elected members was laid down, and surely the angle of vision has changed in the meantime. Although I am the foster father of this resolution, I do not advocate the entire abolition of the nomination system at this stage, but I hope that before long the proportion will be changed to three-fourths elected and one-fourth nominated members. These are my observations and I am glad that this resolution has been so well and thoroughly discussed and I beg to withdraw it."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 17.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR, in the absence of the Hon'ble BABU AKHIL CHANDRA DATTA, moved the following resolution :—

This Council recommends to the Governor in Council that the right of electing their own Chairman be extended to the Commissioners of all those municipalities in Bengal which do not at present enjoy that right.

The Hon'ble SIR S. P. SINHA said :—

"My Lord, I shall be very short over this resolution. Here, again, I will first refer to the Act. Just as there is a schedule in the Municipal Act with regard to municipalities where there were no elected members and of which the Commissioners were all appointed by the local Government, there is another schedule which gives a list of municipalities in which the Chairman shall be appointed by the local Government, all others being left to elect their own Chairmen. In the original list in the Act as passed, there were about 60 municipalities which were in the position of having their Chairmen appointed by the Government. Their number is now 15, so that 45 have been removed from that schedule during these 34 years. From this my Hon'ble friends will see what progress has been made with regard to the question of local self-government, as out of 60, 45 have been given the right to elect their Chairmen and only 15 now remain without that right.

Now, my Hon'ble friends may ask as to why even these 15 municipalities still remain where they are. Well, last year a special enquiry was made in order to see whether of these fifteen, we could take off a certain number and confer upon them the right to elect their own Chairmen. Seven out of these fifteen refused to have that right, and my Hon'ble friends will hardly ask us that we should thrust upon them the privilege which they themselves do not desire. With regard to the rest, most of them were until recently in the first schedule, that is to say, they had no elected Commissioners at all, all the Commissioners being nominated. I think, Hon'ble Members will hardly suggest that municipalities just emerging from that state should have the right of electing their own Chairmen. As regards the other municipalities which have lately emerged from that state, we are not yet convinced that it will be in the best interests of rate-payers that they should have this privilege conferred upon them. Thus, within 30 years it is a good record to have 45 municipalities taken out of a list of 60. In these circumstances, I do not think that it will commend itself to the House that this right should be extended to all municipalities, there being only 15, of which 7 have refused the right and 8 have just emerged from the state of having no elected Commissioners at all."

Rai Radha Charan Pal Bahadur; Babu Akhil Chandra Dutta; Sir S. P. Sinha.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, I am grateful to the Hon'ble Member in charge for his sympathetic reply and beg to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 18.

The following resolution, which stood in the name of the Hon'ble BABU AKHIL CHANDRA DUTTA, was not moved and went by default :—

This Council recommends to the Governor in Council that in exercise of the discretion vested in him by law, he be pleased to direct that all District Boards in Bengal shall elect their own Chairmen.

LIST OF BUSINESS—ITEM No. 19.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR, in the absence of the Hon'ble BABU AKHIL CHANDRA DUTTA, moved the following resolution :—

This Council recommends to the Governor in Council that Local Boards be established in the Sadar and Cox's Bazar Subdivisions of the Chittagong District on an elective basis and that the system of election be introduced in the Local Boards of the districts of Tippera and Noakhali.

He said :—

"My Lord, when this motion has been admitted, I am sure the Government must have investigated into the matter and is in a position to accept it. If not, there must be some good reasons why it cannot accept it."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, I may take it that my Hon'ble friend will withdraw this resolution. But again to assure the House that our intentions are of the best and that we are entirely in agreement with Hon'ble Members in the idea that local self-government should be developed as much as possible and as speedily as possible, I will mention a few facts.

The resolution mentions the district of Chittagong as not having Local Boards in the Sadar subdivision and in the Cox's Bazar subdivision. This fact was represented to His Excellency Lord Carmichael when he visited Chittagong some time ago in 1912, and he promised an enquiry into the matter, and it was decided afterwards to start these Local Boards in the Chittagong District, but the formation was deferred till next year and that for a simple reason. The District Board of Chittagong had been constituted since September 1911, so its life would last till September 1914, and we could not alter its constitution until after that District Board came to an end. The matter was again taken up in 1914, but inasmuch as we were then considering the report of the District Administration Committee, which recommended that Local Boards should be altogether done away with, the view taken was that there was not much use in creating Local Boards for the purpose of being abolished after a short time. That is the reason why this has been done.

With regard to the other two districts, viz., Tippera and Noakhali, the resolution asks that the system of election be introduced in the Local Boards

Sir S. P. Sinha.

of the districts of Tippera and Noakhali. Now, Local Boards have been established in each subdivision of Tippera and Noakhali, so far as Tippera is concerned in 1887 and Noakhali in 1896. But from that time, no question was raised with regard to the elective system being introduced into these Local Boards, and it was only for that reason that the question was not taken in hand here. We are now, however, perfectly convinced that there is no reason why the elective system should not be introduced so far as the Local Boards of Tippera and Noakhali are concerned, and the moment Circle Boards are established we propose to institute Circle Boards not only in the two subdivisions of Chittagong and Cox's Bazar, but also for the districts of Tippera and Noakhali on an elective basis. We do not want to establish Local Boards in Chittagong, because they are going to be replaced by Circle Boards. We do not introduce the elective system into the Local Boards of Tippera and Noakhali for the same reason. But there are other places with reference to which the same question arises, though they are not mentioned in the resolution of the Hon'ble Babu Akhil Chandra Dutta. The intention of Government is to introduce the elective system not only in Tippera and Noakhali, but also in the three districts of Rangpur, Dinajpur and Jalpaiguri. So we propose to go further than the Hon'ble Member asks us to do. We want to wait till the passing of the Village Self-Government Bill which I hope will not very long delayed, and then to introduce the elective system in all these districts, including the districts mentioned in the resolution."

The resolution was then, by leave of the President, withdrawn.

ADJOURNMENT.

The Council was then adjourned *sine die*.

C. TINDALL,
Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council.

CALCUTTA;
The 27th August, 1917.

B. S. Press—17-9-1917—1302J & 1189J—350—C. A. P. & others.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Tuesday, the 4th September, 1917, at 11 A.M.

Present :

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble MR. N. D. BEATSON BELL, C.S.I., C.I.E.

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble SIR S. P. SINHA, KT.

The Hon'ble SURGEON-GENERAL W. R. EDWARDS C.B., C.M.G.

The Hon'ble MR. B. C. MITRA.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble MR. J. DONALD.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. W. W. HORNELL.

The Hon'ble MR. C. H. BOMPAS.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. E. B. H. PANTON.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR.

The Hon'ble IHTISHAM-UL-MULK RAIS-UD-DAULA AMIR-UL-OMRAH NAWAB SIR ASIF QADR SAIYID WASIF 'ALI MIRZA KHAN BAHADUR MAHABAT JANG, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble DR. NILRATAN SARKAR.

The Hon'ble MR. J. MACKENZIE.

The Hon'ble MR. W. H. H. ARDEN WOOD, C.I.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. R. GLEN.

The Hon'ble MR. PROVASH CHUNDER MITTER.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., Maharajdhiraja Bahadur of Burdwan.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI, C.I.E.

The Hon'ble RAI DEBENDRA CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. F. W. CARTER, C.I.E.

The Hon'ble SIR A. BIRKMYRE, KT.

The Hon'ble MR. E. B. EDEN.

The Hon'ble MR. H. R. A. IRWIN.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDDURI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU MAHENDRA NATH RAY, C.I.E.

The Hon'ble MR. K. B. DUTT.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

LIST OF BUSINESS—ITEM No. 1.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

By the Hon'ble the MAHARAJADHIRAJA BAHADUR OF BURDWAN :—

Ancient tombs and mausoleums in the Sundarbans

*1. (*a*) Will the Government be pleased to state what ancient tombs or mausoleums have been found in the Sunderbans and whether any of them have been protected under the provisions of the Preservation of Ancient Monuments Act, 1904 (VII of 1904)?

(*b*) If the answer to clause (*a*) of the question be in the negative, will the Government be pleased to say whether they are aware of any historic importance being attached to the tombs of Khan Jehan Ali and Mohamed Tahir, and, if so, whether it is in their contemplation to protect these two monuments of the Sunderbans under the provisions of the said Act?

Answer by the Hon'ble MR. DONALD :—

"(*a*) A statement is laid on the table showing the ancient tombs or mausoleums in the Sundarbans as entered in the List of Ancient Monuments in Bengal. Of these, Nos. 1 and 2 have been declared protected monuments under the provisions of the Ancient Monuments Preservation Act (VII of 1904).

(*b*) The question does not arise."

Statement referred to by the Hon'ble MR. DONALD *in his Answer to Question No. 1 (starred), asked by the Hon'ble the Maharajadhiraja Bahadur of Burdwan, at the Council Meeting of 4th September, 1917, showing ancient tombs and mausoleums known to exist in the Sundarbans.*

No.	District.	Locality.	Name of monument.
1	Khulna ...	Bagerhat ...	Tomb of Khanjehan Ali.
2	Do. ...	Ditto	Tomb of Mohamed Tahir.
3	Do. ..	Amadi	Tombs of Bura Khan and Fatch Khan.
4	Do. ...	Isvaripur ...	Three tombs said to have been built by Man Singh.
5	Do. ...	Ditto	Tomb of 12 sepoys.

By the Hon'ble BABU SURENDRA NATH RAY :—

Appointments of Europeans and Anglo Indians in offices of the Deputy Inspector General of Police.

*2. Has the attention of the Government been drawn to the advertisements published in the "Statesman" of the 24th July asking for applications from Europeans or Anglo-Indians for thirty-six appointments under the Special Assistant to the Deputy Inspector-General of Police pay ranging from Rs. 125 to Rs. 200 per month and eight other appointments to be applied for to the Deputy Inspector-General of Police, Dacca Range?

Answer by the Hon'ble MR. KERR :—

"Yes; but the 36 appointments include the eight appointments referred to in the latter part of the question. The men are required to work as confidential clerks in certain police offices in the mufassal."

By the Hon'ble BABU SURENDRA NATH RAY :—

Appointments to the Public Service.

* 3. Is it a fact that appointments in the Public Service are given according to race, qualifications or according to merit of individual persons?

Answer by the Hon'ble MR. KERR :—

"Ordinarily appointments in the Public Service are open to any one possessing the prescribed qualifications, irrespective of race or religion, but it is occasionally necessary to employ members of a particular community on special work."

By the Hon'ble BABU SURENDRA NATH RAY :—

Attempts on the lives of Police officers by anarchists.

*4. Will the Government be pleased to state separately the number of—

(1) Anglo-Indians, and

(2) Indian officers

of the Police on whose lives attempts have been made by the anarchists during the last five years?

Answer by the Hon'ble MR KERR :—

"During the last five years attempts have been made on the lives of 30 Indian officers of the Bengal Police by members of the revolutionary party. No such attempts have been made on the lives of Anglo-Indian members of the force. Anglo-Indians are not as a rule concerned in the investigation of revolutionary crime."

By the Hon'ble BABU SURENDRA NATH RAY :—

Number of European and Anglo Indian Police officers removed from the service.

*5. Will the Government be pleased to state the number of Anglo-Indian or European officers of the Calcutta Police who have been removed from the public service or degraded during the last two years?

Answer by the Hon'ble MR. KERR :—

"Three Anglo-Indian or European officers of the Calcutta Police were dismissed in 1915 and three in 1916; one such officer was degraded in each of these years. In addition, 30 such officers were discharged in 1915 and 29 in 1916. Of these 59 officers, 44 were Anglo-Indian Sergeants who were recruited temporarily after the outbreak of the war to take the place of European Sergeants who reverted to military duty, and the other 15 were on probation."

By the Hon'ble BABU SURENDRA NATH RAY :—

Alleged adulteration of "ghee."

*6. (*a*) Are the Government aware that "ghee," which is at present sold in Calcutta is in most cases highly adulterated with animal fat and ground-nut oil, and in some cases entirely with vegetable fat?

(*b*) Are the Government aware that besides being an article of diet, "ghee" is used by Hindus for religious ceremonies?

(*c*) Are the Government aware that this alleged widespread adulteration is causing a feeling of consternation among the Hindu community and generally amongst all classes of people in Calcutta?

(*d*) Is it a fact that the question of the prevention of adulteration of food and drugs was discussed at a meeting of the Calcutta Corporation about a year ago and that the Government were asked to pass an Act for the prevention of adulteration of food and drugs?

By the Hon'ble BABU SURENDRA NATH RAY—*concld.*

(*e*) Is it also a fact that the Government at that time considered that the matter could be better dealt with when the amendment of the Calcutta Municipal Act came before the Legislative Council?

(*f*) Will the Government be pleased to state what steps they intend to take to prevent such adulteration?

(*g*) Are they considering the desirability of introducing a Bill as early as may be practicable on the matter?

Answer by the Hon'ble MR. DONALD:—

"(*a*) From the report of the Corporation on the Municipal Administration of Calcutta for the year 1916-17, it will be seen that out of 457 samples of "ghee" that were analysed, 114 were found to be adulterated, and that out of 282 samples of "ghee" extracted from sweetmeats 121 were found to be adulterated.

Of the 114 samples of adulterated "ghee"—

35 or 30·7 per cent. showed 10 to 25 per cent of adulteration

55 or 42·2 per cent. showed 26 to 50 per cent of adulteration.

24 or 21 per cent. showed over 50 per cent. of adulteration

Of the 121 samples of "ghee" extracted from sweetmeats and found adulterated—

46 or 38 per cent. showed 10 to 25 per cent. of adulteration

45 or 37·2 per cent. showed 20 to 50 per cent. of adulteration.

30 or 24·8 per cent. showed over 50 per cent. of adulteration

(*b*) Yes.

(*c*) Government are aware that the matter has given rise to comment

(*d*) In their review of the Administration Report for the year 1914-15, the Calcutta Corporation stated that, in their opinion, the amendment of the sections of the Calcutta Municipal Act relating to food and drugs should be taken up at once.

(*e*) Yes.

(*f*) and (*g*) The Hon'ble Member is referred to the Bill which is being introduced at this meeting of Council."

By the Hon'ble RAI DEBENDRA CHUNDER GHOSE BAHADUR.—

*7. (*a*) Is it a fact that the section of the Lower Circular Road in the town of Calcutta, between the Kidderpore Bridge point and the Zeerut Bridge point, is maintained by the Public Works Department for the use of the public and has been so used for more than a century?

(*b*) Has the attention of the Government been drawn to the action of the Calcutta Police in closing this section of the road against the general public, except to members of the Calcutta Turf Club, on racing days, at the end of July last?

(*c*) Are the Government aware of the feeling which this action has created in the mind of the public?

By the Hon'ble RAI DEBENDRA CHANDRA GHOSE BAHADUR—*concld.*

(*d*) Will the Government be pleased to state who the officer was who was primarily responsible for this order?

(*e*) Are the Government considering the desirability of taking such steps as will prevent the repetition of orders of a similar character by the Calcutta Police?

Answer by the Hon'ble MR. KERR :—

" (*a*) By an order of this Government dated the 31st March, 1864, the executive charge of all roads in the Maidan, including the section of road now in question, was vested in the Public Works Department of this Government subject to the general charge and control over the Maidan vested in the Commissioner of Police. By virtue of this order, the Public Works Department assumed executive charge of these roads with effect from the 1st May, 1864. Both before and after that date, the public have used those roads subject to the control of the Commissioner of Police.

(*b*) It is not a fact that this section of the road has been closed against the general public, except to members of the Calcutta Turf Club, on any racing day. It was notified in December, 1916 that on the occasion of race meetings the conveyances of members of the Turf Club only would be permitted to approach the Turf Club gates along Lower Circular Road from west to east. This regulation was made to facilitate the general police control of the traffic, and to obviate the confusion which ensued when conveyances approached the public entrances to the racecourse from two opposite directions. The regulation is enforced only at times when the traffic approaching the racecourse is heavy.

(*c*) A few anonymous letters have appeared in the Press, but Government are not aware that the regulation has caused any serious inconvenience or dissatisfaction to the public.

(*d*) The Commissioner of Police issued the order under section 10 A (*l*) (*m*) of the Calcutta Police Act.

(*e*) No."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

ture by rict of the division s, nals,

*8. Will the Government be pleased to state what amounts the District Boards of the Dacca Division have expended during the last ten years on—

(*i*) the construction and maintenance of roads; and

(*ii*) the opening out and maintenance of khals, canals and other waterways in each of these districts.

Answer by the Hon'ble MR. DONALD :—

" (*i*) A statement is laid on the table showing the expenditure by each District Board in each year of the decade on communications (original works and repairs).

(*ii*) Statistics showing the amounts spent on khals, canals and other waterways are not available."

Statement referred to by the Hon'ble* MR. DONALD *in his Answer to Question No. 8 (starred), asked by the Hon'ble* BABU AMBIKA CHARAN MAZUMDAR, *at the Council Meeting of the 4th September, 1917, showing the expenditure incurred by each District Board in the Dacca Division on communications during the last ten years.

NAME OF DISTRICT BOARD.	1906-07		1907-08		1908-09		1909-10		1910-11	
	Original works	Repairs	Original works	Repairs.	Original work	Repairs.	Original works.	Repairs.	Original works	Repairs.
	Rs	Rs	Rs	Rs.	Rs	Rs	Rs.	Rs	Rs	Rs.
Dacca	51,077	64,096	71,385	64,667	93,148	57,596	53,472	55,802	38,658	71,597
Mymensingh ...	1,24,522	86,917	1,15,639	86,941	1,01,656	95,848	1,17,016	1,22,050	1,08,295	1,26,841
Faridpur ..	7,736	28,003	21,319	35,000	21,376	34,173	31,421	36,992	33,038	31,991
Bakarganj ...	1,16,569	89,056	85,192	1,01,912	1,05,216	1,02,389	54,113	84,520	50,840	80,221
Total ..	2,99,903	2,67,071	2,93,555	2,88,570	3,21,691	2,90,306	2,56,022	2,99,404	2,35,881	3,10,650

NAME OF DISTRICT BOARD	1911-12		1912-13		1913-14		1914-15		1915-16.	
	Original works	Repairs.	Original works	Repairs	Original work	Repairs	Original works	Repairs	Original works	Repairs
	Rs	Rs.	Rs	Rs	Rs	Rs	Rs.	Rs	Rs	Rs
Dacca	35,671	53,886	19,613	64,850	21,093	56,278	67,014	69,937	40,814	90,562
Mymensingh ...	1,10,157	1,21,394	1,14,947	1,38,005	1,28,939	1,47,410	2,35,015	1,96,360	2,57,224	2,38,717
Faridpur	38,574	28,740	21,702	32,290	54,945	51,371	62,436	47,120	54,948	41,477
Bakarganj ..	65,840	93,966	60,082	1,14,013	2,36,788	1,71,347	2,60,241	96,089	1,37,061	1,24,268
Total ...	2,50,242	2,98,526	2,16,344	3,48,758	4,91,245	3,62,406	6,17,716	3,98,536	4,90,077	4,95,024

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

*9. (*a*) Are the Government aware that the duties and responsibilities of the Professors of the Provincial Educational Service as well as of the Indian Educational Service are alike and that the existing distinction between the two classes of officers in rank, pay and prospects has caused considerable dissatisfaction among the former? **Status and prospects of Professors in the Provincial and Indian Educational Services**

(*b*) Will the Government be pleased to state whether they are considering the desirability of moving the Government of India to organise an amalgamated service for officers of both these classes, with provision for an oversea allowance for the European officers?

(*c*) If not, will the Government be pleased to state what other scheme they have under consideration?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) and (*c*) Certain representations have been received from time to time. The whole question has recently been considered by the Public Services Commission and the proposals of that Commission are now under the consideration of Government.

(*b*) No."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

*10. (*a*) Will the Government be pleased to state the total number of Lecturers in the Subordinate Educational Service? **Lecturers in the Subordinate Educational Service.**

(*b*) How many of these have been engaged in teaching up to the B.A. Pass and Honours, for over five years?

Answer by the Hon'ble MR. HORNELL :—

" (*a*) 51 including demonstrators.

(*b*) The information is not available."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Class of work of Lecturers in the Provincial Educational Services.

*11. (*a*) Are the Government aware that in some of the Government Colleges the B.A. Pass and Honours classes are being run mainly by Lecturers in such subjects as English, Philosophy, Sanskrit, etc. ?

(*b*) Will the Government be pleased to state whether the Professors belonging to the Indian Educational Service have, as a rule, to do any work of a higher nature ?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) Inquiries will be made.

(*b*) Yes."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Professors and the Provincial Educational Service.

*12. (*a*) Is it a fact that in addition to a very large contingent of B.A.s and third and second class M.A.s employed as additional or Assistant Inspectors and Head Masters, the Provincial Educational Service contains at least nearly or over 30 Professors who are either B.A.s or B.A.B.T.s or third or second class M.A.s ?

(*b*) Will the Government be pleased to state the exact number of Professors who are—

(*i*) B.A.s and B.A. B T.s,

(*ii*) third class M.A.s, and

(*iii*) second class M.A.s ?

(*c*) How many of the second class M.A.s were taken into the Provincial Educational Service within a year or two of their obtaining their M.A. degree ?

(*d*) Is it a fact that a large number of the Lecturers in the Subordinate Educational Service hold either higher degrees or stood higher in the University than most of the Professors referred to above in clause (*b*) ?

(*e*) Is it a fact that some of these Lecturers have distinguished themselves by their scholarship and original researches in different branches of learning and have obtained necessary recognition from the University and other learned bodies ?

(*f*) Will the Government be pleased to state what action they have taken and are taking with a view to recognising the meritorious work of these officers ?

(*g*) Are the Government aware that the existing disparity in pay and prospects between Professors and Lecturers has caused a great dissatisfaction among the Lecturers ?

Answer by the Hon'ble MR. HORNELL :—

" (*a*) and (*b*) (*i*) The number of Professors in the Provincial Educational Service who are B.A.s and B.A.B.T.s is 7, including 2 Oxford B.A.s.

(*b*) (*ii*) The number of third class M.A.s among the Provincial Educational Service Professors is 2.

Answer by the Hon'ble Mr. Hornell—*concld.*

(*b*) (*iii*) The number of second class M.A.s among the Provincial Educational Service Professors is 23.

(*c*) The number of second class M.A.s taken into the Provincial Educational Service within a year or two of their obtaining the M.A. degree is 12.

(*d*) No.

(*e*) A small number may be said to have distinguished themselves in the manner suggested.

(*f*) Government do not propose to take any special action, but the question of the organisation of the collegiate staff employed by the Education Department is under consideration

(*g*) Government are aware that some Lecturers feel aggrieved because they are not Professors."

By the Hon'ble Babu Kishori Mohan Chaudhuri :—

*13. (*a*) Is it a fact that some years ago representations were submitted to the Government by a large number of Lecturers, individually, praying for the abolition of the existing distinction between them and Professors? Distinction between Professors Lecturers

(*b*) If so, will the Government be pleased to state what action has been or is being taken up on those representations?

(*c*) Is it a fact that the Assam Government have already removed the said distinction between Professors and Lecturers to a great extent?

Answer by the Hon'ble Mr. Hornell.

"(*a*) Yes.

(*b*) The representations are being considered in connexion with the recommendations of the Public Services Commission about the collegiate branch of the proposed Indian Educational Service

(*c*) Government have no information."

By the Hon'ble Babu Kishori Mohan Chaudhuri :—

*14. Are the Government considering the desirability of promoting Lecturers, who have been engaged in teaching up to B.A. Pass and Honours, to the Provincial Educational Service? Promotion Lecturers Provincial Educational Service

Answer by the Hon'ble Mr. Hornell.

"No."

By the Hon'ble Babu Kishori Mohan Chaudhuri :—

*15. With reference to the reply given to my starred question No. 11 (*e*) on the 3rd July, 1917, will the Government be pleased to state how they propose to improve the prospects of Lecturers in the scheme under consideration? Improvem in the pro of Lecture

Answer by the Hon'ble Mr. Hornell :—

"The scheme is still under consideration and the information desired cannot therefore be supplied at present."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Members of the Provincial Educational Service to act in the Indian Educational Service

*16. (*a*) With reference to the reply to my starred question No. 21 of the 5th March, 1917, will the Government be pleased to state whether it is a fact that a Professor of a College (No. 11 in Class IV of the Provincial Educational Service) is officiating in an Indian Educational Service post made vacant by the deputation of an Inspector of Schools in the Indian Educational Service to military duty, although the Professor has not been appointed to the post of Inspector of Schools?

(*b*) If so, will the Government be pleased to state whether they are considering the desirability of allowing deserving Provincial Educational Service officers to officiate in the Indian Educational Service in the vacancies now existing in the Indian Educational Service?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) A Professor of a College is acting in the vacancy in the post of a Professor in the Indian Educational Service which was caused by the transfer of its incumbent to fill the vacancy consequent on the deputation of an Inspector of Schools of the Indian Educational Service to military service.

(*b*) Thirteen officers of the Provincial Educational Service are already acting in vacancies in the Indian Educational Service."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Number of cases of supersession in the Provincial Executive Service

*17. (*a*) Will the Government be pleased to lay on the table a statement showing the number of cases of supersession in the Provincial Executive Service during the last five years?

(*b*) Will the Government be pleased to state whether in those cases any explanation had been taken from officers superseded?

(*c*) Are the Government aware that such supersession has caused great dissatisfaction in the service?

Answer by the Hon'ble MR. KERR :—

"(*a*) Since the 1st of April, 1912, 26 officers of the Provincial Executive Service have been superseded for promotion, but of these, 17 officers were subsequently promoted

(*b*) The answer is in the negative. Officers are passed over after a careful consideration of the reports on their work and they are informed of the reasons for their supersession.

(*c*) Representations against supersession for promotion have been received from time to time from individual officers, but Government are not aware that such supersession has caused great dissatisfaction in the service as a whole."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Grant of extensions of service to members of the Provincial Executive Service

*18. Are the Government aware that the grant of repeated extensions of service to officers of the Provincial Executive Service has caused much hardship and dissatisfaction among the junior members of the service?

Answer by the Hon'ble MR. KERR :—

"It is the policy of Government to scrutinise very closely all applications for extensions, and to grant extensions of service only for special reasons. Extensions, of course, prejudice the promotion of juniors, who consequently do not favour the grant of them."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

* 19. Will the Government be pleased to state what steps have been taken by them to mitigate the effect of the recent floods of the Damodar? Recent flood of Damodar.

Answer by the Hon'ble MR. COWLEY :—

"Owing to a flood in the Damodar the left embankment was breached on the 4th of August, 1917, at Fatehpur in mile 83 of the embankment. This breach was closed by 1 P.M. on the 6th August.

About 12 square miles were flooded and paddy seedlings suffered. Much retransplantation has since taken place. The Commissioner is dealing with an application for agricultural loans which has been received from one village.

The Damodar right embankment was breached in the 5th mile on the 6th of August, 1917. This breach has not been closed, and it is not intended to close it in the future, as the area affected by this breach is ordinarily flooded with water from the spill on the right bank, and this was also the case this year.

As regards the remedial measures which are now being undertaken in order to assist the more rapid flow off of spill water from the inundated area, the following measures have been started :-

(*i*) The Ghesapaty khal has been excavated to a depth of 5 feet below ground-level.

(*ii*) Land in connection with the retirement of the Buxi khal embankment has been acquired and some earthwork executed. The work will be resumed after the rains.

The full sum budgetted for expenditure during the year on remedial measures will be expended."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

* 20. Will the Government be pleased to state in a tabular form the amount actually spent by them, year by year, on each of the embankments maintained by Government in the South Western Circle, Bengal, during the last 15 years? Government embankments in the South Western Circle.

Answer by the Hon'ble MR. COWLEY :—

"A statement showing the expenditure is laid on the table. The expenditure cannot be given embankment by embankment without entailing labour incommensurate with the results. The expenditure has been therefore collected in the shape in which it is compiled in the accounts of the Department."

Statement referred to by the Hon'ble MR. COWLEY *in his Answer to Question No. 20 (starred), asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR, *at the Council meeting of the 4th September, 1917, showing the expenditure on D Schedule Embankments on Hooghly District for 15 years, i.e., from 1902-03 to 1916-17.*

COSSYE DIVISION.

NAME OF WORKS	1902-03	1903-04	1904-05	1905-06	1906-07	1907-08	1908-09	1909-10	1910-11	1911-12	1912-13	1913-14	1914-15	1915-16	1916-17.
HOOGHLY DISTRICT.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Damodar Left Embankment No. 5 Subdivision	1,154	14,678	11,850	16,635	6,491	3,443	5,613	13,314	11,078	4,134	16,735	7,640	12,491	12,038	17,407
Damodar Embankment D Schedule Embankment.	4,787	2,764	4,722	12,822	14,161	6,562	4,564	2,970	2,756	3,098	4,522	1,153	6,215	4,804	5,833
Hooghly District in No. 2 Subdivision.	10,822	3,452	2,917	4,207	9,221	14,788	21,747	7,656	10,365	10,121	7,633	8,229	19,480	9,527	21,842
Total Hooghly District ...	26,763	20,894	22,489	33,664	29,879	27,823	31,724	23,940	27,809	17,353	28,900	17,222	38,099	26,369	44,882

Statement referred to by the Hon'ble MR. COWLEY *in his Answer to Question No 20 (starred), asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR, *at the Council Meeting of the 4th September, 1917, showing the expenditure on D Schedule Embankment in Midnapore District for 15 years, i.e., from 1902-03 to 1916-17.*

COSSYE DIVISION.

NAME OF WORKS	1902-03.	1903-04	1904-05	1905-06.	1906-07	1907-08.	1908-09.	1909-10	1910-11	1911-12.	1912-13.	1913-14	1914-15.	1915-16.	1916-17.
D SCHEDULE EMBANKMENTS	Rs.	Rs.	Rs	Rs	Rs	Rs	Rs	Rs.	Rs.	Rs.	Rs.	Rs.	Rs	Rs.	Rs.
MIDNAPORE DISTRICT															
Rupnarayan Right Embankment in No 5 Subdivision	5 034	6,843	13,248	15,206	6,709	5,426	6 142	3,194	12,989	7 954	12,422	12,232	9,342	7,324	6,288
D Schedule Embankment in No 2 Subdivision.	51,708	36,292	31,684	32,388	34,978	73 989	1,41,842	88,315	1,89,159	1,06,983	98,619	96,018	85,862	15,093	31,362
D Schedule Embankment in No. 3 Subdivision.	6,679	9,248	4,261	8,461	3,513	9,405	3,978	978	1 974	2,221	6,285	531	2,201	2,898	1,593
D Schedule Embankment in No 4 Subdivision	942	563	966	1,426	325	29	6,419	3,925	2 399	1,423	832	1,170	..	..	...
D Schedule Embankment in No 6 Subdivision	These embankments were under Balasore Division during the time i.e., 1902-03 to 1911-12										22,091	29,074	33,625	31,627	20 798
D Schedule Embankment in No 7 Subdivision											23,582	39,194	46,390	36,539	31,396
Total Midnapore district	64,363	52,856	50,039	57,483	44,525	88,791	1,58,381	96,622	2,06,812	1,18 581	1,22 831	1,38,719	1,77,210	1,23,481	91,427

Statement referred to by the Hon'ble MR. COWLEY *in his Answer to Question No. 20 (starred), asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR, *at the Council Meeting of the 4th September, 1917, showing the expenditure on Takavi under contract in Midnapore District for 15 years from 1902-03 to 1916-17.**

COSSYE DIVISION.

	1902-03	1904-05.	1905-06.	1906-07.	1907-08	1908-09	1909-10	1910-11	1911-12.	1912-13.	1913-14.	1914-15.	1915-16.	Embankment No.
Takavi Embankment.	Rs	Rs.	Rs	Rs	Rs.	Rs.	Rs.	Rs.	Rs.	Rs	Rs.	Rs.	Rs.	
Howrah No. 1 ..	6,826	14,094	6,928	10,587	8 03	15,785	5,335	10,077	8,638	1 924	16,701	5,506	1 617	1
Ditto 2 ..	3,031	12,045	7,556	2,114	7,032	6 336	4,372	20 600	9,790	4,933	6,308	7,168	3,101	2, 3 4
Ditto 3 ..	1,188	2,548	1,743	1,649	2 499	1,853	1,305	1,605	1,236	1,523	1,788	1,601	1,653	4, 7, 5, 9, 10
Ditto 4 ...	159	1,247	754	214	1 486	1,197	116	479	1,170	2,310	1,248	576	763	5, 6
Ditto 5 ..	650	1,381	1,020	553	778	1,661	1,556	1,457	502	815	971	1,624	1,340	15, 17
Ditto 6 ..	853	1,332	1,817	1 101	1,712	2,987	672	688	1,267	1,363	480	843	786	18, 19
Ditto 7 ...	1,060	3,926	1,454	1,096	616	596	242	661	1,058	560	469	298	1,270	20, 22, 23
Ditto 8 ...	775	551	1 344	548	792	1,556	911	1,579	428	2,915	2,753	2,736	2,206	21, 24
Ditto 10 ...	318	543	501	351	429	432	1,424	2,833	1,792	1,249	941	1,418	5,862	25, 26, 27
Ditto 11 ...	348	168	111	28	137	175	545	268	102	765	1,175	1,299	924	27, 29
Ditto 12 ..	304	28	30	99	41	131	231	89	207	993	854	587	203	29
Ditto 13 ...	325	170	327	234	568	439	395	350	77	235	246	116	480	28
Ditto 14 ..	1,918	2,144	2,879	830	659	2,936	602	1,091	1,751	1,807	1,837	2,490	1,350	16, 20, 23
Ditto 15 ...	6,667	2,981	3,092	1,277	1,452	2,756	2,026	1,343	921	3,330	3,112	1,499	2,838	11, 13, 14
Ditto 15A ...	208	873	560	229	270	150	310	220	589	300	356	120	404	11, 14
Ditto 15B ..	385	20	230	119	...	100	...	.	309	.	221	66	313	12
Ditto 16 ...	515	937	596	286	131	910	282	382	561	237	494	4,961	2,925	30
Ditto 17 ...	935	15,174	7,319	2,898	8,761	7,802	6,835	1,123	7,585	15,663	14,530	17,033	13,377	31

* Figures for 1903-04 and 1916-17 not yet compiled.

Name of embankments	1902-03.	1903-04.	1904-05.	1905-06.	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.	1912-13.	1913-14.	1914-15.	1915-16.	1916-17.	REMARKS.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Maintenance and repairs, 24-Parganas Embankment, Seijberiah.	10,300	15,844	6,167	9,240	1,588	4,400	17,823	9,064	10,113	20,889	35,662	20,974	13,121	16,363	18,025	Consists of D Schedule— Miles. Feet No. 58 5 4,500 ,, 59 0 2,780 ,, 59A 0 1,290 ,, 60 0 1,100 ,, 61 13 1,320 ,, 62 2 1,320 ,, 63 2 1,860 ,, 64 11 2,780 Total ... 42 1,110
Maintenance and repairs, Damodar and Boxi Khal Embankment	3,684	4,033	8,441	3,411	3,875	12,724	20,919	9,746	6,742	5,871	19,050	11,582	12,884	8,428	9,217	Consists of D Schedule— Miles. Feet No. 8 6 4,330 ,, 32 25 1,320 ,, 37 4 2,640 Total .. 36 3,910
Maintenance and repairs, Damodar Embankment, Hooghly.	1,828	1,758	1,834	1,781	2,108	1,917	556	745	1,310	1,737	1,668	66,177	6,376	44,718	10,658	Consists of D Schedule— Miles. No. 32 ... 17 ,, 36 ... 14 Total .. 31
Maintenance and repairs, Damodar Embankment, Burdwan.	62,396	47,610	31,892	50,551	29,292	17,762	26,217	19,162	2,810	16,636	21,595	1,14,928	1,23,814	1,85,872	21,036	Consists of D Schedule— Miles. No. 32 ... 46 ,, 36 .. 4 Total ... 50
Maintenance and repairs, 24-Parganas Embankment, Sunderbans.	65,527	54,458	25,760	58,263	58,132	48,107	56,347	42,319	44,179	67,[illegible]4	33,941	46,832	1,56,577	74,677	76,524	Consists of Schedule Nos. 65 to 94 and length 174 miles 202 to [illegible]

Name of embankments.	1902-03	1903-04	1904-05.	1905-06.	1906-07	1907-08	1908-09.	1909-10.	1910-11	1911-12	1912-13	1913-14	1914-15	1915-16.	1916-17	REMARKS
	Rs.	Rs	Rs.	Rs.	Rs	Rs.	Rs.	Rs	Rs	Rs	Rs	Rs.	Rs	Rs.	Rs	
Maintenance and repairs to Ajai right embankment, Burdwan.	5,555	4,585	4,362	4,318	3,049	2,792	2,225	2,072	4,784	11,504	6,530	32,508	40,136	6,187	36,605	Consists of Schedule Nos 27 to 29, length 22 miles—3,980 feet.
Maintenance and repairs to Ajai left embankment, Birbhum.	697	566	433	693	464	585	247	772	709	501	757	584	576	398	631	Consists of Schedule No. 30, length 3 miles
Expenditure on taliary embankment.																
HOOGHLY DISTRICT.																
Madaria Khal left embankment (12 miles long).	139	730	566	2,390	5,411	9,690	9,521	3,614	2,152	20,296	1,860	557	1,776	5,838	7,554	
24-PARGANAS DISTRICT.																
Tolly's Nulla embankment, 2 miles.	57	87	111	595	151	146	597	375	1,295	457	518	84	522	119	1,032	
Pealli left embankment, 7 miles.	...	..	49,819	3,311	357	1,514	788	176	1,457	72	...	1,331	1,015	1,167	790	
Panchannagram embankment, 2 miles.	...	...	...	16	16	...	...	622	5,012	5,364	269	...	...	...	...	

Note.—Accounts were not kept of each D Schedule embankment separately but in groups as noted in the remarks columns

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

* 21. Will the Government be pleased to mention the names and addresses of the principal Zamindars of the Amta drainage basin in the district of Howrah? Zamindars of Amta

Answer by the Hon'ble MR. DONALD :—

"A statement giving the names and addresses of all the principal Zamindars of the Amta drainage basin in the district of Howrah is laid upon the table."

Statement referred to in the Answer by the Hon'ble MR. DONALD *to Question No. 21 (starred), asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR, *at the Council Meeting of the 4th September, 1917.*

NAMES AND ADDRESSES OF THE PRINCIPAL ZAMINDARS OF THE AMTA DRAINAGE SCHEME.

1.	Rai Lalit Mohan Singha Roy Bahadur	... Chakdighi.
2.	Babu Kasiswar Mukerjee	... Utterpara.
3.	Srimati Sarba Sona Dassi	... Basantapur.
4.	Saiyid Zahiral Haque	... Narendrapur.
5.	Babu Keshab Lal Mukerjee	... Janai.
6.	Raja Jyot Kumar Mukerjee Bahadur ...	... Utterpara.
7.	Raja Peari Mohan Mukerjee	... Utterpara.
8.	Babu Girija Nath Ray Chaudhuri ...	... Satkhira.
9.	Kumar Sarat Kumar Roy	... Dighapatia.
10.	Babu Prabal Chandra Mukerjee ...	... Utterpara.
11.	Babu Monmohan Singha Roy	... Makhalpur.
12.	Babu Govinda Chandra Bose	... Amta.
13.	Babu Gopi Mohan Singha Roy ...	... Sibpur (Hooghly).
14.	Babu Monohar Chandra Sirkar ...	... Kulakash.
15.	Babu Moti Lal Pal	... Dingalbati.

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

*22. Will the Government be pleased to lay on the table a statement containing the average annual yield of crops of *kadua math* in the Amta basin during the last 10 years? Yield of crops in Amta.

Answer by the Hon'ble MR. KERR :—

"The annual outturn of winter rice in the *kadua math* during the last 10 years is estimated as follows :—

Three years, a full crop
Two years, a quarter crop.
Two years, a one-eighth crop.
Three years, no crop.

In two of the three years in which there was no winter rice there was a crop of *boro* rice."

By the Hon'ble DR. NILRATAN SARKAR :—

*23. (*a*) Is it a fact that a considerable number of young men belonging to the Namasudra and other backward communities qualify themselves for University degrees in this Presidency? Namasudra class and University degrees.

(*b*) Do the Government offer these persons any special facilities for obtaining service under Government?

(*c*) Will the Government be pleased to state the number of gazetted appointments held by members of the Namasudra and similar other communities in Bengal?

Answer by the Hon'ble MR. HORNELL :—

" (*a*) It is not possible to state the number of persons belonging to tl Namasudra and other backward communities who qualify for degrees, as r record is kept of the castes of candidates appearing at the University exan mations.

(*b*) Applications from suitably qualified persons belonging to the communities are carefully considered both by local officers and by Goveri ment, but no special privileges are given either to them or to members c other castes.

(*c*) One Deputy Collector and one Sub-Deputy Collector are Namasi dras."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

The Director of Public Instruction.

*24. (*a*) What were the special considerations that led to the appoin ment of the present Director of Public Instruction in supersession of tl claims of senior members of the Indian Educational Service?

(*b*) When will the term of office of the present Director of Publi Instruction expire?

(*c*) Is it a fact that one of the considerations that led to the appointmei of the present Director of Public Instruction was his special experience o matters of primary and secondary education in England?

(*d*) Will the Government be pleased to state how far they have been abl to utilise the special qualifications gained by the Director of Public Instruc tion while in England prior to his present appointment?

Answer by the Hon'ble MR. KERR :—

" (*a*) and (*c*) The Hon'ble Member is referred to the *communiqué* issue by the Government of India at the time of Mr. Hornell's appointment

(*b*) On 11th May, 1918

(*d*) The value of Mr. Hornell's experience and knowledge of moder developments in education has been demonstrated in his administration o the Education Department."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Chandpur Municipality and European Commissioner.

*25. (*a*) Is it a fact that the European Commissioners of the Chandpu Municipality tendered their resignation in a body, and have subsequentl withdrawn their resignation?

(*b*) If so, will the Government be pleased to make a statement regardin the circumstances of the case?

(*c*) Had these resignations anything to do with the election of a non official Indian as Chairman?

Answer by the Hon'ble MR. DONALD :—

" Government have no information."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Rise in the prices of *dhotis*, etc

*26. (*a*) Has the attention of the Government been drawn to the abnor mal rise in the prices of *dhotis* and other kinds of cloth?

(*b*) If so, are the Government considering the advisability of making an inquiry into the circumstances that have led to this abnormal rise in prices?

By the Hon'ble BABU BHABENDRA CHANDRA RAY—*concld.*

(*c*) Is it a fact that the present stock of cloth in Calcutta is sufficient to supply the demand in Bengal for at least two years?

(*d*) Is there any provision in any of the Ordinances or other war measures, under which Government can intervene in such cases and regulate the prices when they appear to be unreasonably high?

(*e*) Are the Government considering the desirability of taking any steps in the present matter?

Answer by the Hon'ble MR. DONALD:—

"The Local Government are aware that, as is unfortunately the case with other articles, the prices of *dhotis* and cloth have risen recently. No special enquiry into the circumstances leading to this result is contemplated, as the main facts relative to the effects of the war on manufacture and freight are known, and it is to these effects in general that the rise may be attributed. Government is not aware of the precise stocks of cloth at the moment available in Calcutta, while the legislation to which the Hon'ble Member presumably refers is contained in Ordinance IX of 1914. As at present advised the Local Government do not consider that there is a case for action under that Ordinance in the matter of imported cloth, which is apparently the course which the Hon'ble Member has in mind."

By the Hon'ble KUMAR SHIB SHEKHARESWAR RAY:

Ladies under the Court of Wards.

* 27. (*a*) Will the Government be pleased to state the total number of minors under the Court of Wards who are married?

(*b*) What is the total number of unmarried sisters of the Wards?

(*c*) Is there any provision for the education and training of the wives and unmarried sisters of the Wards befitting their position in life?

(*d*) Does the Lady Assistant to the Court of Wards submit any periodical report on the subject of the health, comfort and education of the above-mentioned ladies?

(*e*) If the answer to clause (*d*) is in the affirmative, will the Government be pleased to lay on the table a copy of the last report submitted by her?

(*f*) Are the Government considering the desirability of appointing more than one Lady Assistant to look after the ladies of the Wards' Zenanas in Bengal?

Answer by the Hon'ble MR. KERR:

"(*a*) Three.

(*b*) Three.

(*c*) It is one of the principal duties of the Lady Adviser to frame proposals for, and give special care to, the education of all the ladies and children of the zenanas.

(*d*) Yes.

(*e*) It is a confidential report.

(*f*) The appointment of an Assistant to the Lady Adviser is under consideration."

UNSTARRED QUESTIONS.

(Answers to which were laid on the table.)

By the Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY :—

laces reserved or Muhammadan tudents in lovernment and lovernment Aided Arts and Professional colleges in alcutta and uburbs

I.—Will the Government be pleased to state the number of places, if any, reserved for Muhammadan students in the various Government and Government Aided Arts and Professional Colleges in Calcutta and its suburbs?

Answer by the Hon'ble MR. HORNELL :—

"Orders have been issued that 25 per cent. of the places in Government colleges shall be reserved for Muhammadan students. A copy of Bengal Government letter No. 1078, dated the 29th August, 1917, to the Director of Public Instruction with regard to the reservation of places for Muhammadan students in aided colleges is laid on the table No such orders have been issued in regard to professional colleges."

Letter referred to by the Hon'ble MR. HORNELL *in his Answer to Question No. I (unstarred) asked by the Hon'ble* DR. ABDULLA-AL-MAMUN SUHRAWARDY, *at the Council meeting of the 4th September, 1917.*

No. 1078, dated Calcutta, the 29th July, 1917.

From—The Chief Secretary to the Government of Bengal,
To—The Director of Public Instruction, Bengal.

IN reply to your letter No. $\frac{234}{4C-17U}$, dated the 1st June, 1917, I am directed to say that Government approve of your proposal that the authorities of aided colleges in Bengal should be required to reserve every year 25 per cent. of the vacancies in each class of a college for Moslem students on the following conditions :—

(1) If applications from Moslems for all the reserved vacancies have not been received by the Principal by a fixed date, the remaining vacancies shall be open to students of other communities.

(2) If the number of Moslem candidates who have passed the Matriculation examination in the first division is not sufficient to fill the reserved vacancies, then the remaining vacancies shall be open to first division non-Moslem candidates in preference to second division Moslems.

(3) Second division Moslem candidates will be given preference over second division non-Moslem candidates for the reserved vacancies.

(4) In order to systematise the arrangements in connection with the admission of students to colleges, a register of all applicants for admission should be kept in each college.

2. The Principals of aided colleges should be requested to make arrangements for the reservation of vacancies for Moslem students in this manner with effect from the beginning of the next session. No grant-in-aid should continue to be paid and no fresh grant sanctioned to any college of which the authorities do not agree to make these arrangements.

By the Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY :—

Muhammadan tudents on the olls of lovernment and lovernment Aided Arts and Professional Colleges in Calcutta and its uburbs.

II.—Will the Government be pleased to lay on the table the following particulars :—

(*i*) the number of students on the rolls of Government and Government Aided Arts and Professional Colleges in Calcutta and its suburbs;

(*ii*) the number of Muhammadan students on the rolls of such Colleges;

By the Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY—*concld.*

(*iii*) the number of Muhammadan applicants for admission into these Colleges during the current sessions; and

(*iv*) the number of Muhammadan students whose applications for admission were rejected and the grounds for such rejection?

Answer by the Hon'ble MR. HORNELL :—

"A statement is laid on the table giving the information asked for under heads (*i*), (*ii*), (*iii*). It is impossible, except in the case of the Medical College, to give the reasons for the rejection of applications in individual cases."

Statement referred to by the Hon'ble MR. HORNELL *in his Answer to Question No. 11 (unstarred), asked by the Hon'ble* DR. ABDULLA-AL-MAMUN SUHRAWARDY *at the Council Meeting of the 4th September, 1917, showing the number of Muhammadans in Calcutta colleges and of Muhammadan applicants for admission to these colleges.*

Serial No.	Name of college.	Total number of students on the rolls.	Number of Muhammadan students on the rolls	Number of Muhammadan applicants for admission	Number of Muhammadans whose applications have been rejected.
	GOVERNMENT ARTS COLLEGES.				
1	Presidency College ...	873	111	109	45
2	Sanskrit College ...	238	Nil	Nil	Nil
3	Bethune College ...	78	Nil	Nil	Nil
	AIDED ARTS COLLEGES.				
4	St. Paul's C. M. S. College.	207	2	2	Nil
5	St. Xavier's College ...	598	77	...*	...*
6	Scottish Churches College.	1,139	2	1	2
7	Diocesan College ...	50	1	Nil	Nil
	GOVERNMENT PROFESSIONAL COLLEGES.				
8	David Hare Training College.	27	6	6	Nil.
9	Civil Engineering College	284	6	1	Nil.*
10	Government School of Art	282	11	2	2
11	Government Commercial Institute.	135	8	8	Nil.
12	Medical College ...	1,010	15	16	5†
	AIDED PROFESSIONAL COLLEGES.				
13	L. M. S. Training College	7	3	5	Nil.
14	Diocesan Training College.	7	Nil	Nil	Nil.

* Figures are not available. The only applicants rejected are reported to be those who failed to comply with the University regulations.

† Of the applicants rejected four failed to pass the I. A and I. Sc. examinations of the Calcutta University and one passed the F. A. Examination of the Bombay University which is not accepted as equivalent to the Calcutta I. A. and I. Sc. examination. Three other applicants failed to join the College.

By the Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY :—

Sub-Registrars who have passed the Arabic Department of a recognised Madrassah.

III.—Will the Government be pleased to state the number of Sub-Registrars in the Registration Department appointed since the 1st July, 1914, who fulfil the condition of having passed the higher standard of the final examination of the Arabic Department of a recognised Madrassah?

Answer by the Hon'ble MR. KERR :—

"Four."

By the Hon'ble DR. ABDULLA AL-MAMUN SUHRAWARDY :—

Qualifying examination for the Calcutta Medical College.

IV.—Will the Government be pleased to state whether the Matriculation Examination is the qualifying examination for admission into the Medical College, Calcutta?

Answer by the Hon'ble MR. DONALD :—

"The Hon'ble Member is referred to revised rules 2 and 5 of the Rules for the guidance of students seeking admission to the Medical College, a copy of which is placed on the table."

Rules referred to by the Hon'ble MR. DONALD *in his Answer to Question No. IV (unstarred), asked by the Hon'ble* DR. ABDULLA-AL-MAMUN SUHRAWARDY *at the Council Meeting of the 4th September, 1917, for the guidance of students seeking admission in the Medical College of Bengal.*

1. Three classes of students are admitted for study in the College—

(*a*) "Regular," or those who enter for the full University course.

(*b*) "Casual," or those who enter for selected or isolated subjects.

(*c*) "Military class" (only students of European or Eurasian parentage are admitted to this class). (*See* separate Prospectus for Military students.)

The admission to this class is regulated by the Director-General, Indian Medical Service.

2. The minimum preliminary qualification for admission to the—

(*a*) "Regular class" is the Matriculation pass certificate of the Calcutta University, provided that when there are candidates available who have passed the I.Sc or I.A. Examination, matriculates other than the six scholarship-holders nominated by the Government of Bihar and Orissa shall not be admitted without the sanction of the Surgeon-General.

(*b*), (*c*) "Casual"—Matriculation or Entrance pass certificate of the Calcutta or other Indian Universities, or the pass certificate of an examination equivalent to the Matriculation or Entrance Examination.

3. The session commences on the 15th June.

4. All new students must apply for admission to the Principal, Medical College, Calcutta, in the prescribed form available in his office before the 25th May, except in the case of Biharis, Uriyas, Chota Nagpuris and Assamese students, who should apply to the Inspector-General of Civil Hospitals of their respective Provinces for admission within such date as the latter may prescribe.

Selected candidates must pay the following fees on or before the 10th June, failing which their names will be struck off the selected list :—

	Rs.
Admission fee	15
Fees for summer term	48
Athletic Club fee	1
Total ...	64

5. The number of regular students to be admitted each year is generally 120, but the Principal may, at his discretion, increase or decrease this number. Preference for admission will usually be given to candidates who have superior qualifications, but the final selection lies entirely with the Principal.

Of the total number to be admitted, twelve candidates will be nominated by the Inspector-General of Civil Hospitals of Bihar and Orissa and six candidates by the Inspector-General of Civil Hospitals, Assam. These candidates must have passed the I.Sc. or I.A. Examination. In addition, the Bihar and Orissa Government will nominate six scholars who may be matriculates. These nominations must reach the Principal, Medical College, Calcutta, before the 10th June, failing which the Principal will fill up vacancies with local candidates.

5A. Failed students must apply for admission and pay fees before the 15th May, otherwise their prior claim lapses.

6. (*a*) All regular students must pay, in addition to the fees noted below [(*b*) to (*i*)], an annual fee of Rs. 96 in two instalments, viz., Rs. 48 on the 15th June and Rs. 48 on the 1st November. Fees once paid cannot be refunded.

(*b*) All regular students have to pay an annual fee of Re. 1 to the Medical College Athletic Club along with the fees for the summer term.

(*c*) The fee for each course of Dissection is Rs. 6, payable with the winter session fee of second and third-year classes.

(*d*) The fee for each course of Practical Chemistry is Rs. 6, payable with the winter session fee of the first-year class.

(*e*) The fee for each course of Practical Histology (Normal) is Rs. 20, payable with the summer term fees of the third-year class.

(*f*) The fee for each course of Practical Physiology is Rs. 10, payable with the summer term fees of the third-year class.

(*g*) The fee for each course of Physiological Chemistry is Rs. 15, payable with the summer term fees of the third-year class.

(*h*) The fee for each course of Practical Morbid Histology is Rs. 15, payable with the summer term fees of the fifth-year class.

(*i*) The fee for each course of Practical Bacteriology is Rs. 15, payable with the winter term fees of the fifth-year class.

7. Muhammadan students are required to pay the entrance fee of Rs. 15 and half the annual College fee (in two instalments), the remaining half fees being charged to the Mohsin Fund. They have, however, to pay in full the fees noted above in clauses (*b*) to (*i*).

8. The fees for each term are to be paid in one instalment. Except in the case of new students, the fees for summer term are due on the 15th June, and those for the winter term on the 1st November, and must be paid on those dates or before such dates as the Principal may direct, after which a daily fine of annas four will be levied along with the fee in each case of default.

9. No fees are payable by female students.

10. The fees for the casual students are as follows:

For a single course of lectures or practical class, Rs. 40.

For hospital attendance for each period of three months, Rs. 30.

The following are the curricula of the College:—

REGULAR STUDENTS.

First-year class.

Physics, Chemistry, Botany, Zoology and Practical classes in all these subjects, to be followed by the Preliminary Scientific M.B. Examination of the Calcutta University and the Scholarship Examination of the College.

Second-year class.

Anatomy, Physiology, Materia Medica, Practical Pharmacy and Dissections, to be followed by College test examinations for promotion to the third-year class and for award of College scholarships.

Third-year class.

Anatomy, Physiology, Materia Medica, Organic Chemistry, Dissections, and Practical classes in Physiology and Organic Chemistry, to be followed by Honour Examination of the College in the above subjects for scholarships and medals of the College and by the First M.B. Examination of the Calcutta University.

Fourth-year class.

Medicine, Surgery, Midwifery, Pathology, Medical Jurisprudence, Hygiene, Dental Surgery, Hospital Practice (12 months), Clinical methods and 20 Demonstrations, Practical Surgery and Bandaging and 30 Demonstrations, to be followed by College test examination for promotion to the fifth-year class.

Fifth-year class.

Medicine, Surgery, Midwifery, Hygiene, Ophthalmic Surgery, Operative Surgery, Mental Disease, Practical Pathology and Bacteriology, Practical Midwifery and 20 Demonstrations, Hospital Practice (12 months), to be followed by Honour Examinations of the College in all the subjects.

Sixth-year class.

Hospital Practice (12 months), to be followed by the Second M.B. Examination.

11. Female students must be over 17 years of age, and are to reside in the Surnomoyee Hostel attached to the Medical College. Only under exceptional circumstances will they be permitted to reside with friends or relatives outside the College.

12. The following are the rewards obtainable by students :—

(*a*) Free tuition, *i.e.*, refund of fees of the first year awarded to ten students of the first year.

(*b*) Government stipendiary junior scholarships of Rs. 8 each, together with free tuition, awarded at the end of the first and second years to ten students of each year.

(*c*) Government stipendiary senior scholarships of Rs. 12 each, with free tuition, awarded to ten students at the end of their third, fourth and fifth years.

(*d*) Special scholarships.

(*e*) Government prizes.

(*f*) Medals and certificates of honour.

(*g*) Government scholarships to all female students of the Regular class who do not get the Dufferin Fund scholarships.

Special scholarships for Bihari and Uriya students.

Six scholarships of Rs. 12 each to six students from Bihar and Orissa tenable for six years from the date on which the students enter the College.

J. T. CALVERT, M.B., M.R.C.P., LT.-COL., I.M.S.,
Principal, Medical College.

CALCUTTA,
The 1st May, 1915.

By the Hon'ble MR. ALTAF ALI :—

Pay of District Engineers of first class districts.

V.—(*a*) Are the Government aware of the fact that the pay of the District Engineers of first class districts in Bihar and Orissa has been increased to Rs. 800—50—1,000.

(*b*) Do the Government know that a representation was made by the District Engineers of first class districts of Bengal for a similar increment of their pay?

(*c*) If so, what steps, if any, have been taken to give effect to this?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) It is understood that the pay has been increased to Rs. 800—40—1,000.

(*b*) Yes.

(*c*) A copy of the Bengal Government's letters Nos. 8723-73 L.S.-G. and 874 L.S.G., dated 8th March, 1916, has been supplied to the Hon'ble Member and another copy is placed on the Library table."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

VI.—Is it a fact that the pay of the lowest clerk in the Collectorate or in a Judge's Court is Rs. 30, a month?

Lowest pay of clerks in a Collectorate or Judge's Court

Answer by the Hon'ble MR. KERR :—

" The lowest pay of a clerk in the Revenue and Civil Courts in Western Bengal is Rs. 25 and in Eastern Bengal Rs. 30 per mensem."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

VII.—(*a*) Is it a fact that there is a large number of schoolmasters and clerks who draw only Rs. 15 a month?

Lowest pay of schoolmasters and clerks

(*b*) Will the Government be pleased to state whether they are considering the desirability of taking steps to raise the minimum pay of the Lower Subordinate Educational Service to at least Rs. 30 a month?

Answer by the Hon'ble MR. HORNELL :—

" (*a*) The Hon'ble Member is referred to the Gradation List of the Lower Subordinate Educational Service, a copy of which has been sent to him: another copy is placed on the Library table.

(*b*) The answer is in the negative."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

VIII.—Will the Government be pleased to state whether they are considering the desirability of taking steps to raise the maximum of the higher grades of the Subordinate Educational Service?

Raising of the maximum of the higher grades of the Subordinate Educational Service.

Answer by the Hon'ble MR. HORNELL :—

" The answer is in the negative."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

IX.—(*a*) Are the Government aware that the appointment of Lecturers, at different initial salaries, has created great discontent among those who have been superseded?

Fixing of a definite initial salary for Lecturers.

(*b*) Are the Government considering the desirability of fixing a definite initial salary for all Lecturers?

Answer by the Hon'ble MR. HORNELL :—

" (*a*) Government are aware that certain anomalies have been caused by the fact that Lecturers in Eastern Bengal and Assam were appointed on an initial salary of Rs. 100 a month, whereas those under the Government of Bengal were appointed on an initial salary of Rs. 125.

(*b*) Endeavours are being made to adjust the anomalies created by the two different systems and to fix the initial salary of Lecturers on appointment at a uniform rate."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Increase in fee-rates in certain colleges.

X.—(*a*) Will the Government be pleased to state the reasons for increasing the fee-rate of the Rajshahi, Chittagong and Krishnagar Colleges?

(*b*) Will the Government be pleased to state the receipts from endowments for the different Government Colleges in this province?

(*c*) Will the Government supply separately the percentages which receipts from fees and endowments bear to the total expenditure incurred by Government on account of the Rajshahi, Chittagong and Krishnagar Colleges?

(*d*) If the percentage of receipts in the Rajshahi College be much higher than those of Krishnagar and Chittagong, are the Government considering the desirability of reconsidering the case of the Rajshahi College and of reducing the fee-rate to what it originally was?

(*e*) Will the Government be pleased to state what corresponding benefit the Rajshahi College will immediately get in the way of further developments?

(*f*) Are the Government aware that the fee-rate of the Rajshahi College was raised from Rs. 3 to Rs. 4 only a few years ago?

(*g*) Are the Government aware that in connection with the scheme for M.A. and B.L. classes in the Rajshahi College, the Rajshahi Association undertook the full financial responsibility, both initial and recurring, the initial expenditure being more than a lakh? Was the scheme rejected?

Answer by the Hon'ble MR HORNELL :—

"(*a*) A copy of letter No. 394 T.—Edn., dated the 16th June, 1917, to the Director of Public Instruction, containing orders for the increase of the fee-rate in the Rajshahi, Chittagong and Krishnagar Colleges is laid on the table.

(*b*) The returns received show the following receipts from endowments for the maintenance of Government colleges :—

		Rs.
1.	Rajshahi College	10,228
2.	Chittagong "	70
3.	Krishnagar "	2,723

(*c*) The percentage is as follows—

1.	Rajshahi College	54·6 per cent.
2.	Chittagong "	29·7 "
3.	Krishnagar "	31·0 "

(*d*) The answer is in the negative.

(*e*) The fee-rates were raised because they were too low, and not in view of any immediate corresponding benefit.

(*f*) Yes.

(*g*) The answer is in the negative. The proposals involved the diversion of a grant of Rs. 30,000 already made for the construction of hostels towards the initial cost of these classes. The recurring expenditure was to be met for the greater part by Government out of the fees. The scheme was rejected."

Letter referred to by the Hon'ble Mr. Hornell in his reply to Question No. X (unstarred) asked by the Hon'ble Babu Kishori Mohan Chaudhuri at the Council Meeting of the 4th September, 1917.

No. 394 T.-Edn., dated Darjeeling, the 16th June 1917.

From—L. S. S. O'MALLEY, ESQ., I.C.S., Secretary to the Government of Bengal, General Department,

To—The Director of Public Instruction, Bengal.

GOVERNMENT have recently had under consideration the question of revising the scale of fees paid by students at Government Colleges. There is, as shown in the margin, considerable variety in the fee rates, which appear in some cases to have been fixed without reference to any particular standard. After careful consideration Government have decided that, except in the Presidency College where the existing fees are already Rs. 12, and in the Bethune College for girls, the circumstances of which are special, there should be a uniform rate of Rs. 6 a month, which should be paid by all students other than the sons of *bonâ fide* pandits at the Sanskrit College, who should continue to pay the existing reduced fees.

College	Fee rates
	Rs.
Presidency ...	12
Hooghly	6
Dacca	6
Sanskrit	5*
Krishnagar ...	5
Rajshahi	4
Chittagong ...	4
Bethune	3

* Reduced fees, viz., Rs. 2 a month, are paid by the sons of *bonâ fide* pandits.

2. In coming to this decision Government have been influenced by the consideration that the fees should not be too high for the students who desire to receive collegiate education, and that at the same time an unduly large proportion of the cost of these colleges should not fall on provincial revenues. The annual expenditure on Government Colleges, according to the returns for 1915-16, is Rs. 8,61,531, of which Rs. 5,62,712 is paid from public funds, Rs. 2,85,078 is made by fee receipts, and Rs. 16,941 is derived from endowments and other private funds. In the colleges in which the fee-rates are now below Rs. 6, Government incurs an expenditure of Rs. 1,53,970, while the fee receipts amount to Rs. 81,305 only.

3. The effect of these orders will be that the rate of fees in the Krishnagar and Sanskrit Colleges will be raised by Re. 1 per mensem (with the exception referred to above of the sons of *bonâ fide* pandits), and in the Rajshahi and Chittagong Colleges by Rs. 2 per mensem. I am to request that the Principals of these four colleges may be instructed to realize the enhanced fees with effect from the beginning of next Session.

Memo. No. 395 T.-Edn., dated Darjeeling, the 16th June, 1917.

COPY forwarded to the Financial Department of this Government for information.

By the Hon'ble MAULVI ABUL KASEM :—

XI.—(*a*) Is it a fact that the dead body of one Bhutnath Ghose of village Amra, thana Memari, district Burdwan, was found under a railway culvert between Burdwan and Saktigar?

Case of one Bhutnath Ghose whose dead body was found under a railway culvert.

(*b*) Is it a fact that the Railway Police who held the inquest reported the case as one of suicide?

(*c*) Is it a fact that a Magistrate held a local inquiry and declared that it was a clear case of murder?

By the Hon'ble MAULVI ABUL KASEM—*concld.*

(*d*) Is it a fact that the police did not record all the evidence produced by the relatives of the accused, and disposed of the case in a summary manner?

(*e*) Is it a fact that the murderer or murderers escaped punishment?

(*f*) Are the Government considering the desirability of ordering an inquiry in the matter?

Answer by the Hon'ble MR. KERR :—

"(*a*) Yes.

(*b*) No. The body when found was in a highly decomposed state and was sent by the Railway Police to the Civil Surgeon for *post-mortem* examination. The Civil Surgeon was unable to express any definite opinion as to the cause of death, but reported that, as death was not due to hanging and as no poison was detected in the viscera, there was no reason to suspect that the deceased had committed suicide.

(*c*) No. A copy of the Magistrate's order is laid on the table.

(*d*) It is not a fact that the police did not record all the evidence produced by the relatives of the accused or that they disposed of the case in a summary manner. The investigation was held by the Railway Police, with the help and co-operation of the District Police, and was supervised by the Superintendent of Police, Burdwan and the circle Inspectors of both the Railway and the District Police, every opportunity was given to the parties to produce witnesses.

(*e*) It is uncertain whether murder was committed, if murder was committed the person or persons committing it have escaped punishment

(*f*) The answer is in the negative."

Copy of Magistrate's Order dated the 29th July, 1917, referred to in the answer by the Hon'ble MR. KERR *to Question No. XI (unstarred) asked by the Hon'ble* MAULVI ABUL KASEM *at the Council meeting of the 4th September, 1917.*

Report regarding Burdwan G. R. P. Unnatural death Case No. 8—17.

"I held a local inquiry on the spot and examined a lot of witnesses there as well as in court, also consulted the post-mortem examination report and Police diaries.

There is absolutely no ground for concluding that the man Bhut Nath Ghosh committed suicide. There is nothing to show that he was not murdered. On the other hand, the evidence of the witnesses examined does not furnish a sufficient clue to the murder. Some witnesses say that one Satish Datta called him away from home, in the afternoon of the day on which the man disappeared. Others say when the dead body was recovered Satish Datta tried to make that it was not the body of Bhut Nath. One of the sisters, Tulsi Dassi, says that before the recovery of the body Satish Datta continued to put her on a false scent by saying that Bhut Nath must have joined the Jatra party. Another man says on the same evening he saw Satish Datta, Satish Kumar, Bhut Nath and another going towards Saktighar. They were followed by a black fellow with a bottle in one hand and a lathi in another. These witnesses were examined long after the disappearance of Bhut and after Bhut Nath's mother had brought an assault case against

Rajen Kamar, Satish Kamar and Narayan Ghosh; it would be unsafe to conclude that they had anything to do with the murder of Bhut Nath. I do not find the evidence sufficient to bring home the charge of murder to the persons named by Satya Dassi in her petition."

G. C. SEN,
Deputy Magistrate.

The 29th July, 1917.

By the Hon'ble BABU AKHIL CHANDRA DATTA:

XII.—Will the Government be pleased to lay on the table a statement showing— Appointment of Munsifs.

(*i*) the number of Munsifs appointed during the last five years,

(*ii*) the Bars from which they were recruited, and

(*iii*) the districts to which they belong?

Answer by the Hon'ble MR. KERR:—

"A statement is laid on the table."

Statement referred to by the Hon'ble MR. KERR *in his Answer to Question No. XII (unstarred), asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council Meeting of the 4th September, 1917.*

YEAR.	Number appointed.	District and number from each.		Bar and number from each.		REMARKS.
1913 ...	20	Calcutta ...	2	High Court ...	2	
		Nadia ...	4	24-Parganas ...	6	
		Jessore ...	1	Murshidabad ...	1	
		Khulna ...	1	Burdwan ...	1	
		Burdwan ...	1	Ghatal (Midnapore)	1	
		Birbhum ...	1	Hooghly ...	1	
		Hooghly ...	1	Dinajpur ...	1	
		Howrah ...	1	Jalpaiguri ...	1	
		Midnapore ...	1	Dacca ...	2	One appointed from Government service.
		Dacca ...	3	Bakarganj ...	1	
		Bakarganj ...	2	Chittagong ...	1	
		Chittagong ...	1	Lakhmipur (Noakhali).	1	
		Tippera ...	1			
			20		19	
1914 ...	15	Calcutta ...	2	High Court ...	1	
		Nadia ...	1	24-Parganas ...	3	
		Jessore ...	3	Sealdah (24-Parganas).	1	
		Hooghly ...	1	Midnapore ...	1	
		Midnapore ...	1	Dacca ...	2	
		Dacca ...	3	Faridpur ...	2	
		Faridpur ...	1	Bakarganj ...	1	
		Bakarganj ...	1	Mymensingh ...	2	
		Mymensingh ...	2	Gaya ...	1	
			15	Muzaffarpur ...	1	
					15	

YEAR.	Number appointed.	District and number from each.		Bar and number from each.		REMARKS.
1915 ...	21	Calcutta ...	3	High Court ...	7	
		24-Parganas ...	1	24-Parganas ...	6	
		Nadia ...	2	Howrah ...	1	
		Jessore ...	1	Bogra ...	1	
		Bankura ...	2	Darjeeling ...	1	
		Hooghly ...	2	Dacca ...	1	
		Howrah ...	2	Mymensingh ...	1	
		Pabna ...	1	Tippera ...	1	
		Rangpur ...	1	Sylhet ...	1	
		Dacca ...	3	Purulia (Manbhum).	1	
		Bakarganj ...	1		—	
		Mymensingh ...	1		21	
		Sylhet ...	1			
			—			
			21			
1916 ...	7	Calcutta ...	1	High Court ...	1	
		24-Parganas ...	2	24-Parganas ...	3	
		Nadia ...	2	Nadia ...	2	
		Murshidabad ...	1	Faridpur ...	1	
		Dacca ...	1		—	
			—		7	
			7			
1917 ...	6			High Court ...	2	
		Calcutta ...	2	24-Parganas ...	1	
		Hooghly ...	1	Dinajpur ...	1	
		Dinajpur ...	1	Dacca ...	1	
		Dacca ...	1	Bakarganj ...	1	
		Faridpur ...	1		—	
			—		6	
			6			

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Reversal of capital sentences passed by Sessions Judges.

XIII.—Will the Government be pleased to lay on the table a statement showing the number of cases in which capital sentences passed by the Sessions Judges were set aside and replaced by orders of acquittal by the Hon'ble High Court in Bengal during the last ten years?

Answer by the Hon'ble MR. KERR :—

"Government have no information beyond that contained in the annual reports of the High Court on the administration of Criminal Justice, to which the Hon'ble Member is referred."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Reversal of sentences of transportation for life passed by Sessions Judges.

XIV.—Will the Government be pleased to lay on the table a statement showing the number of cases in which sentences of transportation for life passed by the Sessions Judges were set aside and replaced by orders of acquittal by the Hon'ble High Court in Bengal during the last ten years?

Answer by the Hon'ble MR. KERR :—

"Government have no information beyond that contained in the annual reports of the High Court on the administration of Criminal Justice, to which the Hon'ble Member is referred."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

XV.—Will the Government be pleased to state—

Statistics relating to resolutions moved in the Bengal Legislative Council.

(*i*) how many resolutions, including the resolutions moved during the Budget discussion, have been moved in the Bengal Legislative Council by the non-official members since the right of moving resolutions has been conferred upon them,

(*ii*) how many of the said resolutions have been accepted and how many opposed by the Government;

(*iii*) how many of the said resolutions have been carried in spite of Government opposition, and

(*iv*) how many of the resolutions thus carried have been given effect to?

Answer by the Hon'ble MR. KERR :—

" (*i*) and (*ii*) The Hon'ble Member is referred to the published proceedings of the Council.

(*iii*) and (*iv*) Two resolutions were carried against the vote of the Government, namely :—

(*a*) This Council recommends to the Governor in Council that a committee be appointed, consisting of official and non-official members of the Council, for the purpose of assisting the Government in the application of all moneys allotted for the purposes of sanitation in this Presidency.

(*b*) This Council recommends to the Governor in Council that the system of trial by jury be extended to all those districts in Bengal in which it is not at present in force

Both resolutions are still under consideration. In the second case the Hon'ble High Court are being addressed "

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

XVI.—(*a*) Will the Government be pleased to lay on the table a comparative statement of the pay of the different grades of European constables, Indian head constables and Indian constables attached to the

Pay of the different grades of European and Indian constables.

(*i*) Calcutta Police; and

(*ii*) District Police?

(*b*) Is any exchange compensation allowance paid to European constables?

Answer by the Hon'ble MR. KERR :—

" (*a*) and (*b*) A comparative statement of the pay of the different grades of Indian head constables and constables in the Calcutta and Bengal Police is laid on the table. [illegible] "

Statement referred to by the Hon'ble MR. KERR *in his Answer to Question No. XVI (unstarred), asked by the Hon'ble* BABU AKHIL CHANDRA DATTA, *at the Council Meeting of the 4th September, 1917.*

	Indian Head-Constables			Indian Constables
	1st grade	2nd grade	3rd grade	
	Rs. A.	Rs.	Rs. A.	
Bengal Police ...	22 8	20	17 8 ...	(10, 11, 12 & 13 unarmed branch). (11, 12, 13 & 14 armed branch).
Calcutta do. ...	26 0	21	18 8 ...	11, 12, 13 & 14.

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Criminal Investigation Department.

XVII.—(*a*) Will the Government be pleased to state how much has been spent, year by year, during the last five years in Bengal—

(*i*) towards the pay of the Inspectors, Sub-Inspectors and Head Constables attached to the Criminal Investigation Department; and

(*ii*) toward the various sorts of allowances paid to the said officers?

(*b*) Will the Government be pleased to state what is the total amount of money which has been spent, year by year, during the last five years in Bengal on account of all sorts of allowances paid to the various branches of the Police, over and above their travelling allowance?

(*c*) Will the Government be pleased to state when the Criminal Investigation Department was first brought into existence?

Answer by the Hon'ble MR. KERR :—

(*a*) & (*b*) The figures are given in the annexed statement.

(*c*) The Criminal Investigation Department in its present form was first brought into existence in 1905 on the recommendation of the Indian Police Commission of 1903."

Statement referred to in the Answer by the Hon'ble MR. KERR *to Question No. XVII (unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council Meeting of the 4th September, 1917, showing the pay, etc., of Inspectors, Sub-Inspectors and Head Constables of the Criminal Investigation Department.*

	1912-13.	1913-14.	1914-15.	1915-16.	1916-17.	REMARKS.
	Rs.	Rs.	Rs.	Rs.	Rs.	
XVII (*a*) (*i*).—Pay of Inspectors, Sub-Inspectors and Head Constables.	99,610	1,05,669	1,21,701	1,34,633	1,42,822	These include the Crime and Intelligence Branches.
XVII (*a*) (*ii*).—Total allowance paid to Inspectors, Sub-Inspectors, Head Constables and constables also (including travelling allowance).	80,153	1,43,034	1,73,448	1,90,715	2,29,185	These include the Crime and Intelligence Branches. The figures include allowances for constables, which cannot be eliminated.

	1912-13.		1913-14		1914-15		1915-16		1916-17		REMARKS.
	Travelling allowance, including conveyance allowance.	Other allowance.	Travelling allowance, including conveyance allowance.	Other allowance.	Travelling allowance, including conveyance allowance.	Other allowance.	Travelling allowance, including conveyance allowance.	Other allowance.	Travelling allowance, including conveyance allowance.	Other allowance.	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
XVII (*b*).—The amount of expenditure for all sorts of allowances incurred for the various branches of the police.	5,63,176	2,07,580	6,31,777	3,57,699	7,68,311	4,01,764	8,62,805	4,60,694	8,81,416	4,68,660	These figures exclude charges for the East Indian Railway.

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

XVIII.—(*a*) Will the Government be pleased to state, year by year, the total amounts expended during the last five years, in maintaining the Criminal Investigation Department in Bengal?

(*b*) What amount has been passed by the Government under this head for 1917-18?

Answer by the Hon'ble MR KERR :

"(*a*) & (*b*) The figures were as follows :-

1912-13, Rs. 4,06,163; 1913-14, Rs 4,78,209, 1914-15, Rs 5,39,973, 1915-16, Rs. 5,97,591, 1916-17 (Revised), Rs 6,75,000, 1917-18 (Budget), Rs 7,90,000

These include the expenditure on both the Crimes and Intelligence Branches."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XIX.—(*a*) Will the Government be pleased to make a statement showing for the last ten years, district by district, the number of instances, as were reported to the police, of— Offences relating to female modesty, etc.

(*i*) rape,

(*ii*) abduction of females; and

(*iii*) outraging of female modesty?

(*b*) How many of these cases occurred in connection with religious festivals, *mêlas* and fairs and at pilgrims centres?

(*c*) How many of these cases resulted in the detection of the offenders and their punishment?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*c*) A statement giving the information required is laid on the table.

(*b*) Statistics are not available, and could not be obtained without an amount of labour disproportionate to their value."

Statement referred to by the Hon'ble MR. KERR, *in his Answer to Question No. XIX (unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAI CHAUDHURI *at the Council meeting of the 4th September, 1917, showing the number of cases of rape, abduction of females and outraging of female modesty reported to the Police during the last ten years (1907-16).*

NAMES OF DISTRICTS	RAPE.		ABDUCTION OF FEMALES.		OUTRAGING OF FEMALE MODESTY.	
	Number of cases reported to the police during 1907-16.	Cases resulting in the detection of the offenders and their punishment	Number of cases reported to the police during 1907-16	Cases resulting in the detection of the offenders and their punishment	Number of cases reported to the police during 1907-16.	Cases resulting in the detection of the offenders and their punishment.
Dacca	177	33	249	31	387	92
Mymensingh ...	178	22	641	42	547	164
Tippera ...	55	4	45	2	129	17
Bakarganj ...	194	40	386	41	86	12
Faridpur ...	37	10	150	29	84	21
Chittagong ...	36	5	74	10	79	21
Noakhali ...	12	2	36	6	48	5
Rangpur ...	63	6	332	17	255	71
Dinajpur ...	58	8	139	29	223	68
Rajshahi ...	71	11	315	59	66	13
Pabna ...	60	8	48	1	259	37
Bogra ...	9	1	27	11	31	15
Malda	11	6	21	8	88	33
Darjeeling ...	21	7	4	1	51	13
Jalpaiguri ...	25	4	38	2	92	12
E. B. Ry., Saidpur	5	...	4	1	21	6
Nadia	43	5	86	16	395	108
E. B. Ry., Sealdah	3	...	3	2	23	10
24-Parganas ...	51	16	66	16	135	40
Jessore ...	36	8	41	7	129	45
Murshidabad ...	55	12	16	3	56	17
Khulna ...	43	9	60	9	64	16
Howrah ...	23	4	77	18	73	27
Hooghly ...	56	6	25	6	115	22
Burdwan ...	29	7	18	3	65	29
Bankura ...	3	...	12	9	20	9
Birbhum ...	10	7	39	5	64	18
Midnapore ...	31	7	153	28	108	12
E. I. Ry., Howrah	1	...	6	1	23	10
Total ...	1,406	218	3,114	146	3,716	963

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

The Dacca-Aricha road.

XX.—(*a*) What is the total length of the Dacca Aricha Road and what portion of it is fit for vehicular traffic?

(*b*) What amount has the District Board spent for its upkeep or improvement during each of the last five years, and what permanent improvements, if any, have been effected thereby?

(*c*) Was there any proposal at any time during the last five years for making over the Dacca-Aricha road to the Public Works Department and metalling it gradually with a view ultimately to making it fit for motor traffic?

(*d*) If so, will the Government be pleased to make a statement giving the details of this proposal? Has there been any attempt to carry out the proposal during these years?

(*e*) What is the total estimated cost that would be entailed by such a scheme? Was any part of it ever sanctioned by Government? If so, how has the same been expended?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) The total length of the Dacca-Aricha Road is 45¾ miles, of which 42¾ miles are under the District Board and 3 miles under the Dacca Municipality. The first 8 miles from Dacca to Mirpur and the miles from 31 to 43 are fit for wheeled traffic.

(*b*) The following sums have been spent by the District Board on the maintenance of the miles in its charge during each of the last five years

	Rs
1912-13	5,184
1913-14	4,312
1914-15	4,521
1915-16	7,865
1916-17	4,981

No permanent improvements have been carried out under the expenditure on maintenance.

The lengths of the road which are fit for wheeled traffic are in fair order

(*c*) and (*d*) The question of provincializing the road was considered by the late Government of Eastern Bengal and Assam In 1909 and 1912 the Commissioner of the Dacca Division recommended that the road should be taken over by the Public Works Department and maintained from Provincial Revenues. A survey and estimate was prepared by the Public Works Department in 1914 for bridging and embanking those miles of the road which have not at present been embanked, and for improving and constructing permanent bridges on those portions which are already embanked and partially bridged and drained. No provision was made in this estimate for metalling the road so as to render it suitable for motor traffic. The project has been transferred to the District Board for disposal. No improvements have been carried out under this project.

(*e*) The estimated cost of the project referred to above was Rs. 4,65,400 for original works and an annual recurring charge of Rs 14,875 for subsequent maintenance. The sanction of Government was not accorded to the project, as, after consulting the Sanitary Advisers to Government, it was considered that the embanking of that portion of the road which lies close to and parallel to the Dhalleshwari river, between Fulbaria and Baira, would be likely to prove injurious to the adjoining areas of the district from an agricultural and sanitary point of view. The estimated cost of the original work in this section alone amounted to Rs. 3,39,026."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXI.—Will the Government be pleased to lay on the table the Report of the Conference of Educational officers, held in 1915, on the question of the reorganisation of primary education in Bengal and state what action has been taken upon the said report? *Primary education in Bengal*

Answer by the Hon'ble MR. HORNELL :—

"The Hon'ble Member appears to be under a misapprehension, as no report was prepared by the Conference."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXII.—Will the Government be pleased to make a statement showing, district by district, the number of high schools in the Presidency which are not recognised by the University? *Non-recognised high schools.*

Answer by the Hon'ble MR. HORNELL :—

"The Hon'ble Member is referred to the departmental list of high schools and colleges in Bengal up to 31st December, 1916. One copy has been forwarded to him and another copy is laid on the Library table. Schools which are not recognised or are provisionally recognised are shown by distinctive marks."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Education of children of the backward classes.

XXIII.—(*a*) What amount has been spent, during the years 1913-14 to 1915-16, for the education of the children of—

(*i*) Hindu artisans; and

(*ii*) backward classes and castes of Hindus

in the Presidency?

(*b*) Are the Government aware of the efforts of the Society for the improvement of the backward classes in Bengal and Assam and for the spread of elementary education among the masses?

(*c*) Are the Government aware of the experience of the Society as stated in their Annual Report for 1916, that "with Rs. 2 a month, fifty boys can be helped to receive elementary education" and that "10 schools started this year (1916) are working satisfactorily with a monthly grant of Rs. 2 each from this Society?

(*d*) What is the monthly minimum cost entailed by a recognised primary school, of the lowest standard, with 50 boys?

(*e*) What, if any, grant has been made, during the years 1913-14 to 1915-16, for the education of the children of backward classes to—

(*i*) religious bodies such as Christian Missions; and

(*ii*) philanthropic institutions such as the Society for the improvement of the backward classes referred to above?

Answer by the Hon'ble MR. HORNELL :—

"Government regret that they are unable to furnish the information asked for, as separate statistics are not compiled either for artisans or backward classes according to religion.

(*a*) Yes.

(*b*) Government have not received the report of the Society for 1916.

(*c*) An estimate of minimum cost cannot be made without reference to local conditions. The average cost of a boys' lower primary school of 34 boys is Rs. 8-8 per mensem.

(*i*) 1913-14—Rs. 10,300.
1914-15—Rs. 10,300
1915-16—Rs. 12,000.

(*ii*) Nil."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Quality of quinine supplied through post offices.

XXIV.—(*a*) Will the Government be pleased to state whether there has been any deterioration lately in the quality of quinine supplied through Post Offices?

(*b*) Are the Government aware of any suspicion in the public mind regarding the quality of quinine thus supplied?

Answer by the Hon'ble MR. DONALD :—

"A reply will be given at the next meeting of the Council."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXV.—(*a*) Is it a fact that Mr. Birley, some time Magistrate of Dacca, in his Report on the sanitary condition of Manikganj, pointed out that the sources of water-supply in the Manikganj Sub division are far inferior to those in the other parts of the district? Water supply in Manikganj Sub-division

(*b*) What steps, if any, have been taken by the Government to improve the water-supply in the Manikganj Sub-division?

(*c*) What are the facts which prove that the District Board of Dacca have kept this fact in view in their efforts for the improvement of the water-supply in the district?

Answer by the Hon'ble MR. DONALD :—

" (*a*) The Hon'ble Member is referred to the report of which a copy was placed on the Library table in reply to question No 24 asked at the meeting of the Legislative Council held on the 3rd July, 1917

(*b*) The Hon'ble Member is referred to the answer to his question No. LVII asked at the meeting of the 7th August, 1917

(*c*) The Hon'ble Member is referred to the statements showing the number of tanks and wells excavated or re-excavated during the years 1915-16 and 1916-17, which were laid on the table in reply to question No 15, asked at a meeting of Council held on the 13th March, 1917, and question No. I, asked at the meeting of Council on the 7th August, 1917 As stated in reply to question No. LVII asked at the meeting of Council on the 7th August, 1917, further inquiries are being made"

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXVI.—(*a*) Is it the intention of the Government to reserve the post of confidential clerks in the offices of the District Superintendents of Police for Europeans and Anglo-Indians only? Appointment of confidential clerks in Police offices.

(*b*) Are the Government aware that Superintendents of Police of certain districts have publicly advertised for Europeans and Eurasians for confidential clerks under them?

(*c*) Has it ever been the practice to employ, in such position, Sub Inspectors of Police specially trained for the purpose?

(*d*) Is there any such officer, so employed, in any district at present?

(*e*) If the answer to clause (*c*) is in the affirmative, will the Government be pleased to say why this practice has been departed from in the instances referred to above?

Answer by the Hon'ble MR. KERR :—

" (*a*) and (*b*) No such general restriction is intended. For certain temporary posts which have recently been created for special work, European and Anglo-Indian clerks were invited by advertisement to apply

(*c*) No.
(*d*) No.
(*e*) This question does not arise."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXVII.—Will the Government be pleased to lay on the table a statement showing, district by district, for each of the last five years— Cases of dacoity.

(*i*) the number of cases of dacoity, and

(*ii*) the number of cases that ended in the conviction of culprits?

Answer by the Hon'ble MR. KERR :—

" A statement is laid on the table."

Statement referred to by the Hon'ble MR. KERR *to Question No. XXVII (unstarred), asked by the Hon'ble* BABU BROJENDRA KISHOR RAI CHAUDHURI *at the Council Meeting of the 4th September, 1917.*

NAME OF DISTRICT.	1912.		1913.		1914.		1915.		1916.	
	True cases of dacoity.	Cases ending in conviction.	True cases of dacoity.	Cases ending in conviction.	True cases of dacoity.	Cases ending in conviction.	True cases of dacoity.	Cases ending in conviction.	True cases of dacoity.	Cases ending in conviction.
Bakarganj	12	3	33	8	34	5	173	42	37	9
Bankura	4	...	12	1	7	...	55	13	21	5
Birbhum	1	1	4	2	3	...	18	1	25	5
Bogra	5	...	8	2	11	3	20	2	21	1
Burdwan	22	1	23	2	10	...	28	3	35	5
Chittagong	2	...	1	...	2	...	6	...	2	...
Dacca	16	...	8	...	16	2	19	2	22	6
Darjeeling	...	...	3	...	4	...	2	...	2	...
Dinajpur	5	...	12	1	20	1	20	4	13	...
Faridpur	10	...	27	2	28	5	11	...	26	10
Hooghly	12	2	9	2	13	1	38	5	53	8
Howrah	2	1	10	2	8	...	5	...	17	...
Jalpaiguri	4	1	10	...	18	5	25	4	15	1
Jessore	11	...	2	2	3	1	7	3	3	...
Khulna	3	...	6	3	7	1	9	1	31	7
Malda	1	...	2	..	6	1	5	1	1	...
Midnapore	22	3	36	7	24	5	81	11	69	8
Murshidabad	2	1	1	1	5	3	5	1	10	2
Mymensingh	4	1	17	4	7	...	25	2	21	4
Nadia	4	2	2	1	14	2	21	7	20	3
Noakhali	...	..	...	...	...	...	2	1	1	...
Pabna	8	2	10	...	14	2	21	2	14	2
Rajshahi	9	3	10	...	14	...	16	...	24	4
Rangpur	10	...	3	...	12	1	24	5	10	...
Tippera	5	1	7	1	8	...	22	1	33	3
24-Parganas	28	5	20	1	21	1	70	5	39	5
E. B. Ry., Sealdah ...	...	...	..	...	1	...	1	1	...	..
E. B. Ry., Sadpur ...	...	...	...	...	..	..	1	...	...	...
E. I. Ry., Howrah ...	1	...	...	...	...	...	...	...	2	...
Total ..	203	27	276	42	310	39	730	117	567	88

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Education of the children of Educational officers

XXVIII.—(*a*) Is it a fact that under the late Government of Eastern Bengal and Assam, Educational officers, with pay not exceeding Rs. 100 a month, could get their children educated in Government Institution without payment of school fees?

(*b*) Has this concession been withdrawn?

(*c*) If so, will the Government be pleased to state the reasons for such withdrawal?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) A copy of Eastern Bengal and Assam Government letter No. 2463 E., dated 29th September, 1908, is laid on the table.

(*b*) & (*c*) Under the present rules for the award of free studentships teachers in Government schools drawing salaries not exceeding Rs. 50 a month have the privilege of educating one son without payment of fees and one son on payment of half the usual rate of fees in the school in which they are employed. This rule was previously in force in West Bengal, and was extended to Eastern Bengal so that there might be uniformity of system in both parts of the Presidency."

Copy of letter referred to in the Answer by the Hon'ble MR. HORNELL *to Question No. XXVIII (unstarred), asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI, *at the Council Meeting of the 4th September, 1917.*

No. 2463 E., dated Shillong, the 29th September, 1908.

From—The Chief Secretary to the Government of Eastern Bengal and Assam,

To—The Director of Public Instruction, Eastern Bengal and Assam.

WITH reference to your letters No. 1033, dated the 21st November, 1907, and No. 529, dated the 16th July, 1908, I am directed to say that articles 212 and 213 of the Assam School Manual and Rules 4 and 5, Chapter XXXIV, page 192 of the Rules and Orders of the Bengal Education Department, which deal with the grant of free-studentships to the children of the officers of the Education Department, should not be generally modified so as to alter the limits of the present concessions.

2. The Lieutenant-Governor, however, authorises you to extend the privileges conferred by these rules and to grant free-studentships, at your discretion, to the sons of teachers in Government schools drawing salaries not exceeding Rs. 100 per mensem, who apply to you for the concession through the Divisional Inspector. The same privilege may also be extended to the children and orphans of retired teachers whose pensions do not exceed Rs. 50 per month, and to the orphans of teachers who died in the service of the Education Department while in receipt of pay not exceeding Rs 100 per mensem. The free-studentships will be tenable in the school in which the teacher is serving or in the home district of the pensioner or of the deceased teacher. The Lieutenant-Governor desires that you should use your discretion in refusing, modifying or withdrawing these concessions, whenever you consider that the teacher is or has been inefficient, or where his influence has not been exercised in favour of the maintenance of good discipline in and out of school, and of a healthy moral tone among the pupils of the school or schools in which he is or has been employed.

No. 2464 E., dated Shillong, the 29th September, 1908.

Memo. by—The Under-Secretary to the Government of Eastern Bengal and Assam.

COPY of letter No. 2463E., dated the 29th September, 1908, to the Director of Public Instruction, forwarded to the Financial Department of this Government, for information and favour of communication to the Accountant-General, Eastern Bengal and Assam.

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXIX.—Will the Government be pleased to state when the proposed partition of the district of Bakarganj is to be taken in hand? *Partition of Bakarganj district.*

Answer by the Hon'ble MR. KERR :—

"The partition of Bakarganj has been held in abeyance for the present, and it is impossible to say when it will be taken up."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXX.—(*a*) Is it a fact that a circular has been issued prohibiting all Educational officers from writing or publishing any text-books for schools? *Educational officers and the publication of text-books.*

(*b*) If so, will the Government be pleased to lay on the table a copy of the above circular?

Answer by the Hon'ble MR. HORNELL :—

" (*a*) The answer is in the negative.

(*b*) A copy of Circular No. $\frac{223}{3T-363 \text{ of } 1915}$, dated 17th November, 1915, issued by the Director of Public Instruction, Bengal, to which the Hon'ble Member presumably refers, is laid on the table."

Circular No. $\frac{223}{3T-363 \text{ of } 1915}$, *dated Calcutta, the 17th November, 1915, referred to by the Hon'ble* MR. HORNELL *in his Answer to Question No. XXX (unstarred), asked by the Hon'ble Babu* BROJENDRA KISHOR RAY CHAUDHURI *at the Council meeting of the 4th September, 1917.*

From—THE HON'BLE MR. W. W. HORNELL, M.A. (OXON.), Director of Public Instruction, Bengal,

To—All Inspectors of Schools, including the Inspector of European Schools, Bengal (with spare copies for Additional, Assistant, Deputy, Additional Deputy, Sub and Assistant Sub-Inspectors of Schools and Head Masters of Government High and Training Schools under them); to all Principals of Government Arts Colleges, including the Lady Principal of the Bethune College, the Principal of the Calcutta Madrassa and the Superintendents of the Dacca, Rajshahi and Chittagong Madrassas (with spare copies for the Members of their staff and Head Masters of Collegiate Schools under them); the Principal, Civil Engineering College, Sibpur; the Superintendent of Industries and Inspector of Technical and Industrial Institutions; the Head Master of the Dacca School of Engineering; the Principal of the Government School of Art; the Principal of the David Hare Training College (with spare copies for the Head Master of the First Grade Vernacular Training School, Calcutta); the Principal of the Dacca Training College; the Principal of the Government Weaving Institute, Serampore; the Officer-in-Charge of the Government Commercial Classes; the Inspectresses of Schools (with spare copies for Assistant Inspectresses and the Lady Principals of the School for Female Teachers, Calcutta, and the Eden High School for Girls Dacca); the Librarian of the Bengal Library, and the Members of the Office Staff of all Educational officers.

I AM directed to communicate to you the following orders of Government on the subject of the acceptance by educational officers of literary work on behalf of public or private employers and of the production of text-books for use in schools and colleges.

2. Under rule 14 of the Government Servants' Conduct Rules, a Government servant may undertake occasional work of a literary or artistic character, provided that his public duties do not suffer thereby, but Government reserves to itself the right to forbid him to undertake, or to require him to abandon, any employment which, in its opinion, is undesirable. The rate of fees which may be accepted in the case of work undertaken on behalf of a private person or a private body is subject to the provisions of article 74 of the Civil Service Regulations.

3. There are at present no general rules defining the conditions to be observed by educational officers in the matter of the production by them of books specifically designed for use in educational institutions situated within the Presidency. In individual cases which have, from time to time come under the cognizance of the Department, it has been considered necessary to rule that the author should cease to retain a pecuniary interest in the sale of his books, the officers concerned being instructed to dispose of their interests in the productions to the publishers outright.

4. The question of laying down a general policy in this regard has been exercising the attention of Government as neither the Government Servants Conduct Rules nor the Civil Service Regulations deal adequately with the

matter. The question is one of great importance, and it is felt that the absence of clearly defined rules on the subject leave the present position exposed to grave misrepresentation and the employment of unscrupulous practices.

5. With a view, therefore, of placing the matter on a sound basis it has been decided to adopt the following rules for general guidance :—

(*a*) In the case of literary work undertaken for a private person or body, the officer whose services have been commissioned shall, before undertaking the work, obtain the permission of the Head of the Department.

(*b*) The acceptance of fees for such work will be subject to the provisions of article 74 of the Civil Service Regulations.

(*c*) In cases in which the book or treatise so commissioned is intended for use as a text-book for schools, and is approved by competent authority as such, the permission if granted will be subject to the condition that the writer shall not retain any pecuniary interest in the sale of the book, but shall dispose of it outright to the publishers. In other words, he will not be permitted to receive payment of royalty on the sale of the book as a text-book for schools in the Presidency.

(*d*) Similarly in the case of books written by educational officers on their own initiative, specifically for use as text-books in schools in the Presidency, and approved by competent authority for the purpose, the authors shall be required to dispose of their pecuniary interest in the books written by them in the manner described in (*c*) above.

(*e*) The principle enunciated above as to the retention of pecuniary interest in books written by officers of the Education Department will not, however, be held to apply to works which are works of scholarship first and text-books afterwards, *e.g.*, books of general academic interest, library books, books of reference, books designed for teachers and for higher education, etc.

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXXI.—Will the Government be pleased to state how the proposal of a railway line between Barisal and Khulna stands at present?

Proposed railway line between Barisal and Khulna

Answer by the Hon'ble MR. COWLEY :—

"The Project Report and Estimates of the proposed Khulna-Barisal-Faridpur Railway were submitted by the Eastern Bengal Railway authorities to the Railway Board in 1914.

The project is under the consideration of the Government of India in the Railway Department."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXXII.—Will the Government be pleased to lay on the table a statement giving the names of newspapers that have been warned during the last three years, stating in each instance—

Number of newspapers warned under the Press Act.

(*i*) the number of warnings given, and

(*ii*) the reasons therefor?

Answer by the Hon'ble MR. KERR :—

"Formal warnings have been issued to seven newspapers during the last three years. Informally attention has been drawn to objectionable articles on other occasions. Government do not consider that it would be in the public interest to publish the names of the newspapers concerned or the reasons for the warnings."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Appointments in the Secretariat.

XXXIII.—With reference to the tabular statement made in answer to question No. XXXI (unstarred) of 3rd July last, with reference to appointments in the upper and lower grades of the Secretariat establishment, are the Government considering any amendment of the rules of appointment?

Answer by the Hon'ble MR. DONALD :—

"The reply is in the negative."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Silting up of rivers in Eastern Bengal.

XXXIV.—With reference to the speech made by His Excellency the Governor at Dacca on the 5th July last, regarding the silting up of rivers, has any definite scheme been drawn up or any proposal made for dredging a channel from the deep bed of the Jumna down the Dhaleswari?

Answer by the Hon'ble MR. COWLEY :—

"No definite scheme has yet been prepared, but the Governor in Council hopes to place an Executive Engineer, who is now on leave, on special duty in connection with this work in the coming cold weather."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Statistics relating to the number of children being educated in schools in Bengal

XXXV.—Will the Government be pleased to lay on the table a statement showing for each of the last 10 years, division by division—

(*i*) the number of children actually at school;

(*ii*) the number of children of school-going age; and

(*iii*) the number of square miles served by each primary school?

Answer by the Hon'ble MR. HORNELL :—

"A statement is laid on the table giving the information required for the last six years. Figures for the years previous to 1911-12 are not available."

Statement referred to by the Hon'ble MR. HORNELL *in his Answer to Question No. XXXV (unstarred), asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI, *at the Council Meeting of the 4th September, 1917.*

Divisions.	Number of children actually at school.						Number of children of school-going age.*						Number of square miles served by each primary school.†					
	1911-12.	1912-13.	1913-14.	1914-15.	1915-16.	1916-17.	1911-12.	1912-13.	1913-14.	1914-15.	1915-16.	1916-17.	1911-12.	1912-13.	1913-14.	1914-15.	1915-16.	1916-17.
Burdwan	401,117	395,675	368,986	359,227	371,290	385,405	1,270,097	The same figure as in 1911-12.					1·4	1·4	1·6	1·6	1·4	1·4
Presidency	383,864	381,241	398,722	404,172	405 679	416,138	1,416,798						2·9	3·0	3·0	3·0	2·3	2·3
Dacca	408,051	426,623	440,200	464,110	479,438	503,416	1,805,647						1·8	1·7	1·7	1·6	1·5	1·5
Chittagong	242,861	252,285	267,308	287,994	290,830	296,544	809,173						2·6	2·5	2·4	2·3	2·2	2·1
Rajshahi	248,240	253,712	262,938	274,312	286,967	307,342	1,520,745						3·5	3·2	3·1	2·8	2·6	2·5

* The number of children of school-going age taken as equal to 10 per cent. of the population as recorded at the census of 1911.
† The number of square miles served by each primary school is calculated by dividing the total area by the number of schools.

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XXXVI.—(*a*) Are the Government aware of the grievances of the travelling public in Eastern Bengal due to the absence of sheds and waiting-rooms of any sort in most of the steamer stations in Eastern Bengal?

Absence of sheds and waiting-rooms at the steamer stations in Eastern Bengal, screened accommodation for 3rd class female passengers etc.

(*b*) Are the Government considering the desirability of requesting the Steam Navigation Companies in Bengal to provide screened accommodation for 3rd class female passengers on board the steam-vessels?

(*c*) Are the Government also considering the desirability of asking the Steamer Companies to provide latrine arrangements in the screened accommodation for inter-class female passengers?

Answer by the Hon'ble MR. COWLEY

"(*a*) Government are aware that the absence of sheds and waiting-rooms at most of the steamer stations in Eastern Bengal is a source of inconvenience to the travelling public. The matter has for some time past been under the consideration of the Steamer Companies, and in the Bakarganj district the Steamer Companies in communication with the District Board have decided on the stations where accommodation is most required, and also on the size and type of accommodation to be provided. The war has raised the cost of necessary materials to a prohibitive rate, but it is expected that the matter will be taken in hand as soon as circumstances permit.

(*b*) The Companies have expressed their willingness to provide such accommodation and will take steps accordingly.

(*c*) It is difficult to arrange latrine accommodation in the inter-class space. The Companies have undertaken to consider the question and to arrange self-contained accommodation where such is possible. In designs for new steamers such accommodation has been provided."

By the Hon'ble MR. PROVASH CHUNDER MITTER :—

XXXVII.—(*a*) Will the Government be pleased to state what progress, if any, has been made in the carrying out of Dr. Bentley's schemes of flooding selected areas at Jangipur and Burdwan?

Scheme of flooding selected areas in Burdwan and Murshidabad.

(*b*) Will the Government be pleased to state whether the Sanitary Department or the Public Works Department is in charge of the execution of these schemes?

(*c*) Are any difficulties being met in the working of these schemes?

Answer by the Hon'ble MR. DONALD :—

"(*a*) The Jangipur scheme is now working. The scheme at Burdwan is being given effect to in part only this season. For the development of the scheme regulating works to regulate the level of the water in the flooded area are required, and observations are being taken to ascertain what works are necessary. The scheme cannot be given full effect to until these regulators have been built.

(*b*) The Department of the Sanitary Engineer is in charge of the execution of the Jangipur scheme. The Public Works Department is in charge of the execution of the Burdwan scheme.

(*c*) No difficulties have yet been experienced in the working of these schemes."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Suicide of *détenus.*

XXXVIII.—(*a*) Is it a fact that a young man, who was interned in the village of Puthia in the district of Rajshahi, has recently committed suicide?

(*b*) If so, will the Government be pleased to state his name, father's name, age and native place and other particulars?

(*c*) Was any allowance granted to him? If so, what was the amount thereof, with effect from what date and from what date was he actually in receipt of the same?

(*d*) Was any representation made by him to any officer at any time; if so, to whom, when and on what allegations, and what action was taken thereon?

(*e*) Was he visited by the police, or did he report himself to the police, at stated intervals? If so, on what dates during the fortnight preceding his suicide?

(*f*) Is it a fact that he left a diary or some such written record which may explain the reason for his suicide?

Answer by the Hon'ble MR. KERR :

" (*a*) The answer is in the affirmative, except that the *détenu* was domiciled at Baraipara, in the thana of Puthia, Rajshahi

(*b*) His name was Hari Das Das *alias* Hari Charan Das, son of Arjun Das, of Sahalampur, thana Diamond Harbour, in the district of the 24 Parganas. He was aged 25 and married, and at the time of his arrest was second master of the Malda School

He arrived at Rajshahi on the 12th June, where he reported himself to the Superintendent of Police, and on the 14th June he arrived at his domicile in Baraipara. He committed suicide on the night of the 18th 19th July, by which date he had been interned for five weeks only.

(*c*) Hari Das Das received an advance of Rs 10 from the Superintendent of Police on his arrival at Rajshahi and was directed to file a petition for an allowance. Up to the time of his suicide, however, no such petition was received by the local officers He also received another Rs 5 from the second Sub-Inspector of Puthia thana. In addition he lived free in the Puthia guest house for six days, and he got medicine and a servant free

(*d*) After reaching the Rajshahi district, he submitted a petition to the Superintendent of Police asking to be allowed to join the Bengali Double Company. This petition was rejected After his return from the local inquiry into the matter of the suicide the Superintendent of Police received four petitions from the deceased, one dated the 8th July, the other three dated the 14th July. These comprised :—

(1) A petition to the Additional Secretary, saying that the petitioner has had fever and asking to be transferred to another place or to the Alipore Central Jail.

(2) A petition to the Superintendent of Police asking him to forward the petition to the Additional Secretary.

(3) A petition to the Superintendent of Police, mentioning the fever and asking for an advance of money.

(4) A further petition to the Superintendent of Police asking for a transfer either to the Alipore Central Jail or to Darjeeling or to his home.

(*e*) He was visited by the police on the following occasions :—

By the Superintendent of Police from 12th to 14th June

By the Puthia police between 15th and 16th June when he was residing in the Puthia thana.

On the 17th by a Sub-Inspector

On the 18th, 20th, 21st and 23rd by a Head Constable

On the 24th and 26th by a Sub Inspector

On the 28th by a Head Constable

On the 29th by a Sub Inspector

On July 2nd, 4th, 5th, 6th, 7th and 8th by a Head Constable

On July 9th by a Sub Inspector

On July 10th by a Head Constable.

On July 11th by a Sub Inspector

On July 17th by a Head Constable.

On July 18th by a Sub Inspector

On July 18th-19th, the night of his death, after midnight by a Sub Inspector

He was also visited by an Inspector of Police on the 18th June, 6th, 7th and 8th July

On the 6th July the *détenu* went to the Puthia thana, a mile distant from his place of domicile, and reported that as he had fever he desired to go to hospital. The Inspector of Police had already requested a local practitioner to attend to the *détenu*, this practitioner had found him suffering from simple malarial fever with no complications. On the *détenu's* arrival at the thana the Inspector put him into the guest house close to the police station and deputed a constable to attend to him and to nurse him, and the Sub-Inspector of Police arranged for his food. After he recovered from the fever, five days before his decease, he was sent back from the guest house to his place of domicile. Government are satisfied that the local police officers showed every consideration for his welfare.

(*f*) Government have no knowledge of any written records left by the *détenu* to account for his suicide. The District Magistrate who made the inquiry found no notes or diary left behind by the *détenu*. In the opinion of the District Magistrate the house and surroundings were comfortable, and there was no reason for the officers in charge to believe that the man intended to take his life.

The District Magistrate's finding was that the suicide was probably the result of the depression after fever."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Suicide of *detenus*.

XXXIX.—Will the Government be pleased to make a detailed statement in connection with every case of suicide among *detenus*, giving the names, fathers' names, permanent place of residence, age, date and place of arrest, places in which they were interned, allowances received and the dates from which they were actually received, general state of health, date of suicide particular method in which suicide was committed, probable reason for committing suicide, whether and when information was sent about their suicide to their parents and guardians, whether there was medical examination and certificate in each case how their remains were cremated and with whose help?

Answer by the Hon'ble MR. KERR :—

"The details asked for are furnished in the statement annexed."

Statement referred to in the Answer by the Hon'ble MR. KERR, *to unstarred Question No. XXXIX, asked by the* Hon'ble BABU BHABENDRA CHANDRA RAY, *at the Council Meeting of the 4th September, 1917, showing certain statistics relating to détenus who have committed suicide.*

NAME	Father's name	Residence.	Age.	Date and place of arrest.	Places of internment	Allowances with dates
1	2	3	4	5	6	7
Surendra Nath Kar.	Keshab Chandra Kar, a money-lender.	Vishnupur, Bankura	19 in July, 1916.	27th July, 1916, Eden Hindu Hostel	Nagdwip village, thana 24-Parganas.	Rupees 30 sanctioned from date of internment. (His family are, according to their own petitions, wealthy and provided him with a cook from his own house.) The allowance was sanctioned on 1st November, in compliance with recommendations, dated the 13th October.
Hari Da Das	Arjun Da	Sabalanpur, Diamond Harbour	26	16th May, 1917, at Mula, near Tala, 24 Parganas.	Barasparia, thana Potiara, in the district of Rajshahi	None mentioned but two advances had been given.

General state of health	Date of suicide	Method of suicide	Reason for suicide	Information to parents.	Medical examination	Method of cremation
8	9	10	11	12	13	14
Good health according to both District Magistrate and the Superintendent of Police (who saw him when they were on tour) except for occasional attacks of fever. The Superintendent of Police had visited him the day previous to his death, when the détenu was quite recovered from fever and had not had any attacks for a month.	Night of 9th/10th of December, 1916	Hanging	Unknown. The détenus brother was with the détenu on the evening and previous to the suicide up to 11 P.M.	By Inspector of Police, Diamond Harbour, by wire on the 10th December 1916.	Assistant Surgeon, Diamond Harbour. At the request of the détenu's brother no *post-mortem* internal examination was held.	Jatindra Nath Kar, his brother, was allowed to take the body away for cremation.
He had been treated for fever.	Night of 18th/19th July, 1917.	Do	Probably depression after fever.	A letter on the part of Government was sent on the 4th August.	By Civil Surgeon on the 20th July, 1917.	Consigned to the Ganges as his castemen were not willing to cremate the body.

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Borrowing of money, etc., by *détenus.*

XL.—(*a*) Are the Government aware of any instances in which *détenus* had to borrow money or were obliged for want of funds to get articles of food or other necessaries on credit?

(*b*) If so, will the Government be pleased to explain the circumstances of each such case?

Answer by the Hon'ble MR. KERR :—

(*a*) and (*b*) Several cases have occurred in which *détenus* have obtained articles of food on credit or have borrowed money. Allowances, however, are sanctioned when necessary on application, and Superintendents of Police have funds from which to give advances pending the sanction of

allowances. If no such advance has been received, and the *détenu*, when he arrives at his place of domicile is in want of funds, it is nearly always the Sub-Inspector of the police-station who lends him money and provides him with food

It is not considered necessary to give details of all individual cases."

By the Hon'ble BABU BHABENDRA CHANDRA RAY

XLI.—(*a*) How many applications were received by Government from *détenus* (or their guardians) for permission to go up for the last University examinations; and in how many cases was permission granted? *Détenus* and University examinations.

(*b*) Will the Government be pleased to state the reasons for refusal of such permission in each case in which the application was not granted?

Answer by the Hon'ble MR KERR.

"(*a*) No statistics on this point have been maintained

(*b*) The Hon'ble Member is referred to the answer given to the Question XLII asked by him at the meeting of the 3rd July."

By the Hon'ble BABU BHABENDRA CHANDRA RAY

XLII.—With reference to the answer to unstarred question No XI of the meeting of the 7th August, 1917, will the Government be pleased to make a detailed statement with regard to each case of alleged torture giving among other particulars, the name of the *détenu*, his place of confinement, the nature of the charge, the nature of the inquiry, the agency by which it was conducted and the result thereof? Alleged torture of *détenus*.

Answer by the Hon'ble MR KERR.

"Government have already stated that the four cases in question were found to be entirely false and groundless, and do not consider it necessary to give any further details regarding these baseless accusations."

By the Hon'ble BABU BHABENDRA CHANDRA RAY

XLIII.—With reference to the answer to unstarred question No XV of the meeting of the 7th August, 1917, is there any body of non-official visitors for Dullunda House? Non-official visitors for Dullunda House.

Answer by the Hon'ble MR. KERR

"The answer is in the negative."

By the Hon'ble BABU BHABENDRA CHANDRA RAY

XLIV.—Will the Government be pleased to make a statement showing, district by district, the different classes of aboriginal inhabitants and their respective numerical strength? Number of aborigines in different districts.

Answer by the Hon'ble MR. KERR:—

"The Hon'ble Member is referred to Table XIII of the Bengal Census Report for 1911 (Part II, Tables)."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Department of Fisheries

XLV. (*a*) Is it a fact that the Department of Fisheries has been lately constituted into a separate Department with Mr. Southwell as Director?

(*b*) If so, will the Government be pleased to make a statement as to the considerations that led to this measure?

(*c*) To what extent is the expenditure estimated to increase thereby, and how is it proposed to meet any such increase?

Answer by the Hon'ble MR. KERR :—

" (*a*) Yes

(*b*) The Deputy Director of Fisheries was formerly under the Director of Agriculture. As the Director of Agriculture is now a farming expert and not a general administrator it was decided, with the approval of the Secretary of State, that the Officer in Charge of Fisheries should be directly under Government.

(*c*) The immediate extra cost to this Government is Rs 125 per month This was provided for in the current budget "

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Comments on the Fisheries Department

XLVI. (*a*) Has the attention of Government been drawn to a " Note on the Fisheries of the Inle Lake " (Southern Shan States) and the comments made therein by Dr. Annandale on the methods of the Bengal Fisheries Department?

(*b*) If so, will the Government be pleased to place on the table such extracts therefrom as relate to Bengal, with any observations that they may have to make thereon?

Answer by the Hon'ble MR. KERR :—

" (*a*) Yes.

(*b*) A full copy of the note is placed on the Library table This Government do not feel called on to make any observations."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Biological inquiries and the Fisheries Department.

XLVII. How much of the activities of the Bengal Fisheries Department are directed to biological inquiries?

Answer by the Hon'ble MR KERR :—

" Biological inquiries are conducted by the Fisheries Department from February to October in each year, and during the cold weather biological work is carried on in the Indian Museum.

Out of 20 publications issued by the Department, 10 relate to biological inquiries, and four more biological papers are under preparation."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Number of boys of school going age.

XLVIII. (*a*) What is approximately the total number of boys of school going age in—

(*i*) municipal, and

(*ii*) non-municipal

areas in each Division of Bengal; and what proportions of such boys in either of these areas are actually at school in each Division?

(*b*) How have these numbers varied since April, 1912?

Answer by the Hon'ble MR. HORNELL :—

" A statement is laid on the table."

Statement referred to by the Hon'ble MR. HORNELL *in his reply to Question No. XLVIII (unstarred) asked by the Hon'ble* BABU BHABENDRA CHANDRA RAY *at the meeting of the Council held on the 4th September, 1917.*

NAMES OF DIVISIONS	BOYS OF SCHOOL-GOING AGE		PROPORTION OF BOYS AT SCHOOL TO THOSE OF SCHOOL GOING AGE			
			Municipal area		Non Municipal area	
	Municipal area.	Non Municipal area.	1915-16	1916-17	1915-16	1916-17
Burdwan Division	52,100	587,188	55·3	57·1	46·1	47·6
Presidency Division (including Calcutta)	157,658	594,580	63·2	64·9	36·2	36·7
Dacca Division ..	30,220	890,343	79·0	80·9	38·0	40·4
Chittagong Division ...	8,954	395,223	56·0	59·0	52·5	53·0
Rajshahi Division ..	15,895	772,623	61·7	67·7	28·5	30·2

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XLIX.—What would be approximately the minimum recurring and non recurring costs of providing in municipal areas for the elementary education of boys of school going age who are not actually at school?

Approximate cost for the elementary education of boys of school-going age.

Answer by the Hon'ble MR. HORNELL :—

" A statement is laid on the table."

Statement referred to by the Hon'ble MR. HORNELL *in his Answer to Question No. XLIX (unstarred), asked by the Hon'ble* BABU BHABENDRA CHANDRA RAY, *at the Council Meeting of the 4th September 1917.*

DIVISION	NUMBER OF BOYS OF SCHOOL GOING AGE ACCORDING TO CENSUS OF 1911		PROPORTION OF BOYS OF SCHOOL GOING AGE ACTUALLY AT SCHOOL TO TOTAL NUMBER OF SCHOOL GOING AGE †			
			Municipal areas		Non Municipal areas	
	Municipal areas	Non Municipal areas	1915-16	1916-17	1915-16	1916-17.
Burdwan ...	52,100	587,188	55·3	57·1	46·1	47·6
Presidency (including Calcutta).	* 157,658	594,580	63·2	64·9	36·2	36·7
Dacca	30,220	890,343	79·0	80·9	38·0	40·4
Chittagong ...	8,954	395,223	56·0	59·0	52·5	53·0
Rajshahi ...	15,895	772,623	61·7	67·7	28·5	30·2

* The number of boys of school-going age is taken to be 15 per cent. of the male population.
† Figures are not available for the years previous to 1915-16.

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Government grants to Municipalities

L.—(*a*) Is it a fact that the amount of Government grants and contributions to Municipalities, and the proportion of such grants to the total income of Municipalities, is much less in Bengal than in most other provinces in India?

(*b*) Are any permanent recurring grants made by Government to Municipalities? If so, for what purposes, and what are the respective amounts thereof?

Answer by the Hon'ble MR DONALD :—

"(*a*) Government are not in possession of full information as regards grants to Municipalities in other provinces.

(*b*) A permanent assignment of Rs. 45,248 has been made for the enhancement of the pay of teachers in aided primary schools and *maktabs* in municipal and other areas outside the jurisdiction of District Boards. The distribution of this amount, as between Municipalities and other non-Board areas, rests with the Director of Public Instruction. Other special grants of a permanent or quasi-permanent nature are made to various Municipalities for educational, medical and sanitary purposes, but it would not be possible, without examining the terms of each of the grants, to state the amount which should be classed as permanent or quasi permanent."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Educational grants to Municipalities

LI.—(*a*) With regard to the grants made to Municipalities for educational purposes, will the Government be pleased to make a statement showing how the amounts thereof have varied during the last five years, and what proportion thereof has been spent on primary education?

(*b*) Will the Government be pleased to state the circumstances that generally determine the amounts of Government grant to each individual Municipality for education?

Answer by the Hon'ble MR. HORNELL :—

"(*a*) The Hon'ble Member is referred to column 43 of Form II and Appendix E of the Resolutions reviewing the reports on the working of Municipalities for the last five years, copies of which have been supplied to him.

(*b*) The amounts of the grants are generally determined by the requirements and financial resources of the Municipalities."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Equilibrium grant to District Boards

LII.—(*a*) Will the Government be pleased to state when and for what purposes the equilibrium grant to the District Boards was first initiated?

(*b*) What has been the average annual receipt of each District Board on this account during the five years preceding its resumption in 1913?

Answer by the Hon'ble MR DONALD :—

"(*a*) On the formation of District Boards in Bengal under Act III (B.C.) of 1885, the administration of cattle pounds, of certain public ferries and also of certain charitable dispensaries in the districts, which had formerly been controlled by Government, was transferred to those bodies. In addition, the Boards were entrusted with the management and control of middle and primary education. To enable the Boards to meet the cost of the services transferred, receipts from ferries and pounds, as well as from schools

and hospitals placed under their management, were assigned to them. Expenditure which devolved on the Boards in excess of the receipts thus assigned was met by the grant of subventions from Government, which were calculated so as to establish equilibrium between the receipts and charges transferred. Along with the control over middle and primary education were also transferred the services of the Sub-Inspectors of Schools employed by Government, and the salary and travelling allowances of these officers formed a part of the charges with reference to which the Boards' equilibrium grants were fixed. The services of the Sub-Inspectors of Schools having been provincialized (in West Bengal in 1905-06, and in Eastern Bengal in 1908-09), the District Boards were relieved of charges on this account, and the equilibrium grants were reduced correspondingly.

(*b*) A statement is laid on the table."

Statement referred to in the Answer by the Hon'ble MR. DONALD *to Question No. LII (unstarred), asked by the Hon'ble* BABU BHABENDRA CHANDRA RAY, *at the Council Meeting of the 4th September, 1917, showing the annual equilibrium grant for the five years ending on the 31st March, 1913.*

District Board	Average annual grant for the five years ending on the 31st March, 1913
	Rs
Burdwan	30,139
Birbhum	14,676
Bankura	30,217
Midnapore	35,197
Hooghly	27,413
Howrah	13,251
24-Parganas	24,854
Nadia	3,405
Murshidabad	1,045
Jessore	9,636
Khulna	24,144
Dacca	28,711
Mymensingh	22,908
Faridpur	24,339
Bakarganj	28,116
Chittagong	9,345
Tippera	33,296
Noakhali	14,306
Rajshahi	7,624
Dinajpur	11,028
Jalpaiguri	2,245
Rangpur	12,067
Bogra	3,191
Pabna	10,831
Malda*	...

* No equilibrium grant was made during this period to the Malda District Board, as orders were passed in the year 1911 transferring to the District Board certain ferries, the average proceeds of which corresponded to the amount previously granted by Government for the purpose of equalising the receipts and expenditure of the Board.

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

LIII.—(*a*) Has there been any systematic inquiry with the help of experts into the condition of waterways in the five divisions of Bengal? **Condition of waterways in Bengal.**

(*b*) If so, in what areas and with reference to what waterways?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) and (*b*) Yes.

(*i*) Along the main and branch steamer routes in the Presidency and Dacca Divisions.

(*ii*) Along the inner and outer boat routes in the Presidency and Dacca Divisions.

(*iii*) Throughout the Nadia rivers in the Presidency Division.

(*iv*) Along the Ganges in the Rajshahi, Presidency and Dacca Divisions.

A map showing the areas and the waterways referred to is laid on the Library table. The waterways are coloured with red wash."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Improvement of waterways in Bengal.

LIV.—(*a*) Is there any comprehensive scheme for an effective improvement of the waterways in Bengal?

(*b*) How much is any such project likely to cost?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) and (*b*) Yes, in certain areas.

(*i*) Non-canalised portion of the Grand Trunk Canal—estimated cost Rs 15,00,000.

(*ii*) Madaripur Bhil route, now approaching completion—estimated cost, Rs. 44,19,561

Improvement not yet sanctioned but proposed—estimated, cost Rs. 14,18,550.

(*iii*) Bharam Khal—estimated cost, Rs. 9,08,063.

(*iv*) Angeria Creek, work completed—expenditure during the past four years = Rs. 3,33,590."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Provision for defence of undefended persons.

LV.—(*a*) Will the Government be pleased to state whether there is any circular order, or any directions of any other kind, requiring District Magistrates to arrange for the defence of persons accused of an offence under section 302 of the Indian Penal Code who are too poor to arrange for their defence themselves?

(*b*) If the answer to the above question be in the affirmative, will the Government be pleased to lay a copy of the order or directions on the table?

Answer by the Hon'ble MR. KERR :—

" (*a*) & (*b*) Copies of Bengal Government Circular No. 657 J.D., dated the 21st May, 1910, and Eastern Bengal and Assam Government Circular No. 577 J., dated the 8th March, 1910, are laid on the table."

Circulars referred to in the Answer by the Hon'ble MR. KERR *to Question No. LV (unstarred), asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ, *at the Council Meeting of the 4th September, 1917.*

Nos. 657-59 J.—D., dated Darjeeling, the 21st May, 1910.

From—W. R. GOURLAY, ESQ., I.C.S., Officiating Secretary to the Government of Bengal, Judicial Department.

To—(1) All Commissioners of Divisions; (2) all District and Sessions Judges and the Judicial Commissioner of Chota Nagpur; and (3) the Chief Presidency Magistrate, Calcutta.

I AM directed to inform you that His Honour the Lieutenant-Governor has, after consultation with the Hon'ble Judges of the High Court, decided that the defence of persons without pecuniary means who are charged with murder should, in certain cases, be undertaken at the expense of Government.

2. The concession should be applied only to cases in which (*i*) the nature of the defence, as disclosed, is such that in the interests of justice the prisoner should have legal aid to make his defence to the charge of murder clear; and (*ii*) the prisoner's means are not sufficient to enable him to obtain efficient legal aid. If the committing Magistrate considers a case to be of this character he should without delay report it to the District Magistrate, with a recommendation that assistance should be rendered to the accused. The District Magistrate may thereupon, if he agrees with the committing Magistrate, engage a counsel or a pleader to conduct the defence at the Sessions trial, and arrange for such facilities as will enable the accused to instruct the counsel or pleader engaged. The pleader selected should be of sufficient standing and ability to render substantial assistance. The fee allowed should ordinarily be a fee for the whole case, and not a daily fee. The arrangement made will in each case require the sanction of the Superintendent and Remembrancer of Legal Affairs.

3. If upon the receipt of a committal proceeding from a Magistrate, a Sessions Judge is of opinion that the case is one in which for the reasons indicated in paragraph 2, the accused should receive assistance he should immediately bring the case to the notice of the District Magistrate, who may thereupon take action accordingly.

4. By the words "a defence disclosed" is meant not only a defence stated at the end of the hearing, but a defence disclosed in any manner such as, for instance, during the police investigation or in cross-examination, or by remarks interposed in the course of the enquiry before the committing Magistrate.

5. Accused persons without pecuniary means charged with murder should be informed of the assistance which Government is willing to render, and should be encouraged to disclose in time the nature of their defence.

6. The Accountant-General, Bengal, has been informed.

Nos. 577-81 J., dated Shillong, the 8th March, 1910.

From—THE HON'BLE MR. H. LEMESURIER, C.I.E., I.C.S., Chief Secretary to Government of Eastern Bengal and Assam.

To—All Commissioners of Divisions.

IN continuation of Mr. Hughes-Buller's letter No. 1291-1311 J., dated the 8th April, 1909, on the subject of a scheme recently introduced with the approval of the Government of India, in the Central Provinces for the employment of counsel or pleaders at Government expense for the defence of paupers under trial on a charge of murder, I am directed to say that the

Lieutenant-Governor is pleased to direct introduction of the system into this Province subject to the conditions specified below :—

The application for the services of counsel or of a pleader should be made through the Superintendent of Jail to the District Magistrate in the interval between the committal and the trial. The application should be granted only if the accused reveals the line of his defence before the Sessions trial and if the District Magistrate is satisfied first that he has reasonably good defence to make and secondly that he is too poor to pay for his defence. It will be the duty of the officers in charge of jails to ascertain, at least one week before the commencement of the Sessions, whether any undertrial prisoners confined in his jail who have been committed to the Sessions on a charge of murder have not arranged for their defence, and should there be any such, he should report the case to the District Magistrate. This report will be treated by the District Magistrate as an application for the grant of the concession of defence at the expense of Government and should be dealt with in the manner indicated above.

2. It should be distinctly understood that the discretion will lie with the District Magistrate and not with the Committing Magistrate as to the grant of this concession, though naturally the District Magistrate would take steps to ascertain whether the applicant was defended in the lower court. Ordinarily, the fee for defence should Rs. 16 per diem, but a higher fee may be granted in cases of exceptional difficulty and importance, if recommended by the Sessions Judge

3. The expenditure for the purpose should be debited to the head "Fees to pleaders in pauper suits—Mufassal Establishment—Law officers" under "19A—Law and Justice." I am to add that His Honour is satisfied that applications for the grant of the concession now sanctioned will not be numerous and does not therefore, as at present advised, consider it necessary to augment the grant under the head specified above.

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

ial case. LVI.—Is it a fact—

(*a*) that one Messerali Sikdar, accused of an offence under section 302, Indian Penal Code, applied to the Magistrate of Bakarganj for an order directing his defence to be taken up by the Crown, on the ground that he was too poor to arrange for his own defence properly;

(*b*) that the application was made by Messerali's brother, Dhalu, on the 18th August, and the case was fixed for hearing at the Sessions on the 20th.

(*c*) that the application was summarily rejected, without any inquiries having been made as to the truth or otherwise of the statements made in the application;

(*d*) that the brother of the accused thereupon collected a paltry sum by actual begging and had to appeal to several leading gentlemen of Barisal for help before he could induce two pleaders to undertake the defence?

Answer by the Hon'ble MR. KERR :—

"(*a*) & (*b*) The brother of the accused applied to the Additional Magistrate for the engagement of the Government Pleader to defend Messerali Sikdar who was charged with murder under section 302, Indian Penal Code.

(*c*) Both the Government Pleaders being engaged in other cases on behalf of the Crown, neither of them could be engaged for the defence of this accused. The petition was therefore rejected.

(*d*) Two leading pleaders of the Barisal Bar were engaged for the defence by the brother of the accused. There is no reason to believe that the accused's brother begged for help from any gentleman of Barisal. The brother of the accused stated before the Judge, in cross-examination, that the accused was not a poor man."

SUPPLEMENTARY QUESTIONS.

The Hon'ble MR. FAZL-UL-HAQ asked the following supplementary questions :—

Was the application made for engaging the Government Pleader or some pleader remunerated by the Crown?

The Hon'ble SIR S. P. SINHA said :—

"The application was made for the services of the Government Pleader."

The Hon'ble MAULVI FAZL-UL-HAQ asked :—

"With reference to clause (*c*) of this question, which has not been answered, I would ask Government please to say whether inquiries were made by the Magistrate before the application was actually rejected."

The Hon'ble SIR S. P. SINHA said :—

"We have no information on the point."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

LVII.—What is the average pay of a teacher in a high school?

Average pay of a teacher in a high school

Answer by the Hon'ble MR. HORNELL :—

"The average pay of a teacher in a Government high school is estimated approximately at Rs. 57-8 a month. Government have no information as to the average pay of teachers in aided and unaided high schools."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

LVIII.—(*a*) Will the Government be pleased to state the number of clerks who were transferred to the Bengal Secretariat and connected offices on the break-up of the Eastern Bengal and Assam Government Secretariat and connected offices?

Number of clerks transferred from Eastern Bengal and Assam Secretariat to Bengal Secretariat and number of subsequent appointments filled up by East and North Bengal men

(*b*) Will the Government be pleased to state how many additional appointments have been made of East and North Bengal men between March, 1912, and March, 1916, and the total number of appointments in the Bengal Secretariat and connected offices during the same period?

Answer by the Hon'ble MR. DONALD :—

"(*a*) 127.

(*b*) 207 appointments were made in the Bengal Secretariat and connected offices between the 1st April, 1912, and the 1st March, 1916. Of these 71 were given to men from Northern and Eastern Bengal.

By the Hon'ble MR. PROVASH CHUNDER MITTER :—

LIX.—Will the Government be pleased to state what legislation, if any, is proposed to be taken up in the remaining portion of the current official year?

Forecast of legislation

Answer by the Hon'ble MR. KERR :—

"Yes. His Excellency the President will make a statement to-day."

By the Hon'ble MR. PROVASH CHUNDER MITTER :—

LX.—(*a*) Has the attention of the Government been drawn to the following statement made by the Public Services Commission at page 34 (paragraph 49) of the Report :—"In not a few departments, the scales of remuneration had only just been revised when they were submitted for our consideration?

Scales of remuneration in Government departments

(*b*) Does that statement refer, amongst others, to the Provincial Judicial Service under the Government of Bengal?

Answer by the Hon'ble MR. KERR :—

" (*a*) Yes.

(*b*) No "

By the Hon'ble MR. PROVASH CHUNDER MITTER :—

LXI.—(*a*) Are the Government aware that at page 225 of the Report of the Public Services Commission the total number of the Munsifs on the permanent staff shown under the head " Present scale " exceeds the actual total by ten and that the number of officers shown in each of the grades from Rs. 250 to Rs. 500 under the same head is also in excess of the existing number in these grades, whilst the lowest grade has been shown to be on Rs. 250 and not on Rs. 200 as is at present the case?

(*b*) Will the Government be pleased to state what the total cost would be if the " Present scale " as ascertained from the last Civil List be changed in favour of the " Present scale " as set out at page 225 of the Report of the Public Services Commission?

Answer by the Hon'ble MR. KERR :—

"(*a*) Yes The Hon'ble Member is referred to the answer given to the question put on this subject by the Hon'ble Babu Akhil Chandra Datta at the meeting of this Council held on the 7th August

(*b*) The cost of the actual present scale of the Provincial Judicial Service, excluding officiating Munsifs, is Rs 1,10,800 as compared with Rs 1,19,900 shown in the Commission's report."

LIST OF BUSINESS—ITEM No. 1A.

The Hon'ble MR. KERR *laid the following statement on the table showing the amount of fines realised after conviction in cases under the Calcutta Police Act and Calcutta Suburban Police Act during the last five years. The information was called for by the Hon'ble* MR. M. ASHRAF ALI KHAN CHAUDHURI *in Question No. XI(e) (unstarred) asked at the meeting of the Council held on the 7th August, 1917.*

Presidency Magistrates' Courts.

			Rs.	A.	P.	Rs.	A.	P.
1912	...	...	63,699	12	0			
1913	...	...	81,713	7	0			
1914	...	...	80,805	6	0			
1915	...	...	67,654	4	9			
1916	...	...	80,132	1	3			
						3,74,004	15	0

Suburban Magistrates' Courts.

			Rs.	A.	P.			
1912	...	...	16,580	0	0			
1913	...	...	18,770	13	0			
1914	...	...	20,402	10	0			
1915	...	...	22,845	7	6			
1916	...	...	19,599	10	0			
						98,198	8	6
			GRAND TOTAL			... 4,72,203	7	6

President.

LIST OF BUSINESS—ITEM NO. 1B.

LEGISLATIVE BUSINESS.

THE CALCUTTA MUNICIPAL (AMENDMENT) BILL, 1917.

The President said :—

"Hon'ble Members are aware that a supplementary agenda paper has been issued for the meeting in Council this morning and it will probably be for their convenience if I make a short statement with regard to the attitude of Government towards the amendment of the Calcutta Municipal Act. The Bill which we propose to introduce this morning for the amendment of that Act is brought forward as an emergency measure. It is brought forward to meet the situation which has been created by the exposure which has recently been made with regard to the adulteration of *ghee*. The Bill is in no sense a general measure dealing with the adulteration of food. It is designed solely for the purpose of strengthening the hands of the authorities in dealing with this particular form of food adulteration. We are introducing it at this short notice in response to a widespread and a strong demand on the part of the public. The strength and the widespread nature of that demand was impressed upon me by a large and weighty deputation, representative of many interests, which waited upon me on Friday last; and I undertook in response to the representations which they made to me, to do all that lay in my power to meet their wishes. It is under these circumstances that the Bill is introduced this morning and it is under these circumstances that I am going to suggest that we should adopt a somewhat unusual procedure in dealing with the Bill. The procedure which I am going to suggest for your consideration is that we should pass the Bill through all its stages to-day. That is certainly an exceptional method of dealing with a Bill and I wish to make it quite clear that I am only suggesting it with regard to this Bill, because this Bill is introduced in response to the desire,—so far as I have been able to ascertain, the unanimous desire—of the members of this Council. It is in no sense a case of the Government trying to force unpalatable legislation through the Council; very much the reverse. It is a case of the Government trying to do what it can to meet what it believes to be the universal desire of the Council. Nevertheless, it is possible that though Hon'ble Members may all be anxious to see this Bill become law, there may be some of them who think that they ought to be given some little time to consider the actual clauses of the Bill. Well so far as that is concerned, Government are prepared to place themselves in the hands of the Council, and if any strong objection is raised to the proposal of the Government to pass the Bill through all its stages to-day, I am prepared to suggest an alternative procedure. In that case, I am prepared to suggest that the Bill should be referred to a Select Committee to-day with instructions to report to the Council on the 13th of this month with a view to passing the Bill through its remaining stages on that day. I now propose to ask the Hon'ble Member in charge of the Bill to ask for leave to introduce it. After leave has been given to introduce the Bill, I propose to suspend the Rules of Business and I then propose to ask the Hon'ble Member in charge of the Bill to move that "the Bill be now taken into consideration" and it is upon that motion that any Hon'ble Member who desires to raise any objection to the passage of the Bill to-day will have an opportunity of doing so. Should I find that there is an appreciable desire expressed when that motion is under discussion that the Bill should be referred to a Select Committee instead of being taken in Committee of the whole Council, I shall then be prepared to ask the Hon'ble Member in charge of the Bill to withdraw that motion and to move in its place a motion that the Bill be referred to a Select Committee. But I would remind Hon'ble Members that there is good reason for passing this Bill expeditiously. I would remind them again that before this Bill can become law, even after it has passed all its stages in this Council, it must be submitted to the Viceroy for his assent, and they

will themselves realise that if we have a delay of 10 days in passing this Bill through this Council, that must necessarily involve a delay of 10 days in submitting the measure for the assent of the Viceroy. With these few words, gentlemen, having explained the position and having indicated the two alternative methods of procedure which are open to us, having pointed out that the Government place themselves in the hands of the Council and will be prepared to adopt whichever method of procedure the Council desire, I will now ask the Hon'ble Member in charge of the Bill to move for leave for its introduction.

The Hon'ble Sir S. P. Sinha then moved for leave to introduce the Bill.

He said :—

"My Lord, it is not necessary, after what has fallen from Your Excellency, for me to say more than a few words in asking for leave to introduce this Bill. Before explaining its provisions, it would perhaps be well that I should state what the existing law is on the subject. Now, there is one law of general application, *namely*, two sections in the Indian Penal Code, sections 272 and 273, which penalise the adulteration of any article of food or drink so as to make such articles noxious as food or drink and also the sale of such noxious articles. Outside municipalities this is the only penal law against the adulteration of food or drink. Besides the Penal Code, we have the Bengal Municipal Act of 1884, which by section 251 penalises the sale, to the prejudice of the purchaser, of any article of food which is not of the nature, substance or quality of the article demanded by such purchaser. Another section—section 251D, provides for the compulsory purchase of any article of food for the purpose of analysis. Section 251 is the only provision for dealing with the vendor if the analysis proves that the article is adulterated. As Hon'ble Members will observe, the section is directed more to the punishment of fraud than to the prevention of adulteration, because under the section if a man says "what I am selling to you is not pure *ghee*," there is no question of his committing any breach of the law, but if he perpetrates a fraud by giving impure *ghee* when he is asked for pure *ghee*, then and then only does he become amenable to the provisions of the law. This is as regards mufassal municipalities

As regards Calcutta there is a section in the present Municipal Act, viz., section 495, which has the same provision as section 251 of the Bengal Municipal Act, *i.e.*, punishment for fraud. You have also sections 504 and 505 which provide for the destruction of adulterated articles and there is section 507 which provides for the compulsory purchase of articles for the purpose of analysis. The result of all this legislation that exists now is that in the mufassal the sale of adulterated *ghee* is not punishable unless it can be proved that the purchaser demanded pure *ghee* expressly and the vendor supplied adulterated *ghee*. In Calcutta though adulterated *ghee* can be seized and destroyed, the dealer cannot be punished in any other manner. Under existing conditions, if a vendor in Calcutta declares that he sells only adulterated *ghee*, he will go scot-free though the article he sells may be ever so much adulterated. These provisions such as they are have in practice failed to check the evils of adulteration and so far as *ghee* is concerned, the Government are informed that the evil has assumed enormous and even alarming proportions. Hon'ble Members will remember the answer to a question which was given this morning (Starred question No. 6) giving the percentage of adulteration with regard to samples of adulterated *ghee* in tins as well as samples of *ghee* extracted from sweetmeats, and judging from the figures given in that answer there can be no doubt that the evil has assumed very alarming proportions. The Bill which I am now asking for leave to introduce proposes to deal with the evil so far only as Calcutta is concerned, and the reason why we are obliged to confine ourselves to Calcutta is this : we have submitted

Sir S. P. Sinha.

to the Government of India a comprehensive Bill dealing with the whole law relating to the Corporation of Calcutta, that is the Calcutta Municipal Bill. In that Bill we provided remedies with regard to the adulteration of all articles of food and drink and drugs also, and including therefore the particular commodity we are now concerned with, that is, *ghee*. So far as the penal clauses are concerned, we have already received the sanction of the Government of India. Without that sanction it would not be legal for this Council to enact any penal clauses. We have also practically ready, for submission to the Government of India, a large Bill with regard to the adulteration of articles of food and drink and drugs so far as the mufassal is concerned, but this has not yet been submitted to the Government of India and therefore the penal clauses in that Bill have not yet received the sanction of the Government of India. It is therefore impossible for us to introduce a measure which would include not only Calcutta but also the mufassal, and if we are to wait for such a Bill to go up to the Government of India, we certainly could not expect to introduce that Bill and much less to pass it until at any rate the ensuing cold weather. Having regard to the representations made to His Excellency, by the influential deputation that waited upon him for the purpose of representing the grave evil which exists, he thought that it was in the public interest that even though we could not introduce the larger measure, we should do all we could and as expeditiously as possible to check and restrain the evil so far at any rate as Calcutta is concerned. It is for that purpose and with that view and in response to that request that this Bill is being introduced to-day. It only remains for me to explain the nature of the provisions of this Bill as shortly as possible. To begin with, we have introduced a definition of what is meant by adulteration, a definition which does not exist in the present Calcutta Municipal Act. At this stage I will only mention what is the general sense of that definition, *viz.*, that *ghee* must not consist of any article not extracted from milk. That is, I presume, satisfactory, so far as that goes and the rest of the Bill deals with the question of the sale, manufacture and storing for the purpose of sale of all adulterated *ghee*. We provide that for the first offence there is a penalty in most cases of Rs. 200 and it authorises for subsequent offences fines from Rs. 500 to Rs. 1,000. This is rather an important clause and Hon'ble Members will be pleased to bear in mind that it provides for fine and not imprisonment. It was suggested to us that imprisonment would be a more proper remedy and would be more effective for the purpose of checking the evil. We have not been able to accede to that suggestion. The cardinal principle, if I may so call it, of the Bill is this. I call it a cardinal principle because if that is to be departed from in any way, the Bill will be absolutely futile and it will be of no use passing the Bill at all. That principle is this. It would be no defence on the part of the vendor of *ghee* to say if it is in fact adulterated that he was ignorant of the nature of the *ghee* that he was selling. Ordinarily, *i.e.*, under the ordinary provisions of the criminal law, if a person is accused of committing a particular offence, it would be necessary to prove a certain degree of knowledge. In this case, if you insert any provisions of that kind then I say the Bill will be absolutely a dead letter. After all, what is it that it obliges the vendor to do? He must satisfy himself before he buys the article, that it is pure *ghee*, either by reason of the confidence which he reposes in the ghee dealer or manufacturer from whom he buys, or by reason of being satisfied by an analysis made, that it is pure *ghee*, but he must satisfy himself, and the onus is upon him to do so—that the *ghee* which he sells to an inoffensive and unsuspecting public is real *ghee* and not an article composed of animal fat or any other objectionable substance. That is the cardinal principle of the Bill and the penal clauses which I have already mentioned are to the effect that punishment varying from a fine of Rs. 200 to Rs. 1,000 can be inflicted with regard to different offences of selling, storing and manufacturing, etc. The Bill consists only of 13 clauses and the principal clauses are those that I

have mentioned and I would venture to submit to the Council that there is no particular reason why we should not be able to get through the Bill at this sitting."

With regard to that, His Excellency has already said that Government place themselves entirely in the hands of the Council. With these few words, I ask for leave to introduce the Bill."

The Hon'ble MAHARAJADHIRAJA BAHADUR OF BURDWAN said :—

"My Lord, having headed the deputation that waited on Your Excellency on Friday last, I once more desire to declare publicly in this Council our grateful thanks to Your Excellency and Your Excellency's Government for the promptitude with which Your Excellency has introduced this Bill in the Council to-day. I was inclined, reading the provisions of the Bill, to think that in the penal clauses, provision for imprisonment should be made, but after what the Hon'ble Sir Satyendra Sinha has explained, I cannot very well press that point, for I think he has explained very clearly what the object is of these penal clauses, and if by the introduction of clauses of imprisonment, there is a likelihood of loop-holes, I would rather not have them at all. Your Excellency has been pleased to say that the Government propose to adopt one of the two procedures which you, Sir, have explained in your opening remarks. I am for passing the Bill to-day. I would not have pressed this point."

The PRESIDENT said :—

"Perhaps I should point out that there will be two motions before the Council. The ordinary procedure of this Council is to take the motion to introduce the Bill as a formal motion and to have no discussion on that motion. But in view of the fact that it is possible that to-day we shall not have a motion to refer the Bill to a Select Committee,—we may or may not—I am prepared to allow a discussion of the principles of the Bill upon this motion—the motion for leave to introduce it. But the proper place in which to express your views upon the question of procedure will be the second motion which will be moved, *viz.*, the motion to take the Bill into consideration. Any expression of opinion with regard to procedure is now out of order."

The Hon'ble MAHARAJADHIRAJA BAHADUR OF BURDWAN said :—

"I bow to the ruling of the chair and I shall confine my remarks to the introduction of the Bill, and I welcome the measure, and regarding the remarks that I have to offer on the Bill being either referred to a Select Committee or being passed by the House to-day, I shall reserve them till the second motion is before the Council."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"My Lord, it seems to me that the measure which the Hon'ble Sir Satyendra Prasanna Sinha has brought forward to-day has been overdue for a long time. The evil to which he refers is a long standing one and times without number have the public complained that there ought to be some protest against the dirty practice of adulterating articles of food, *ghee* in particular. Better late than never is an axiom which I believe ought to be followed even in this House, and I most heartily welcome the measure which has just been introduced. I think we ought to be grateful to Government that a Bill of this kind has at last been introduced into the Council, and I hope it will receive the most favourable consideration from the members of this Council."

Dr. Nilratan Sarkar; Maulvi Fazl-ul-Haq; Maulvi Abul Kasem; Rai Mahendra Chandra Mitra Bahadur

The Hon'ble DR. NILRATAN SARKAR said :—

"My Lord, I believe that on grounds of health a Bill of this nature should be introduced and become the law of the land. In fact, so far as the people of the medical profession are concerned, they have all along felt the necessity of a stringent measure of this kind. It does not go far enough, I confess, but at the same time I welcome it most heartily, even as it is at present. Although it affects only one article of diet, which I believe is taken by almost all the people of the Indian community in this country, this measure will be welcomed by most of our countrymen here. I know of many families and many people in this country amongst our community who have abstained from taking *ghee* since the 'horrifying exposure' such as described by the Muhammadan Association the other day, and they are suffering very great hardship. Apart from the very great inconvenience there is also a very strong religious feeling in this connection. I think that the Bill has come in time and the general public will welcome it most cordially."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, whatever I have got to say has reference to the second motion that is coming up for consideration, that is to say, whether the Bill is to be passed to-day or after a short postponement. For the present, my Lord, so far as the introduction of the Bill is concerned, I give it my hearty support."

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord, as has been pointed out by the Hon'ble Dr. Nilratan Sarkar the Bill is welcomed by the public at large. The only thing I have to say is that if it is not passed to-day, all this adulterated *ghee* in Calcutta will be sent to the mufassal and we, the people of the mufassal, will have to take adulterated *ghee*. In the interests of the people living outside Calcutta, I submit that the Bill should be passed to-day."

The PRESIDENT said :—

"The Hon'ble Member can raise that point on the next motion."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"My Lord, I come from the mufassal, so I welcome this Bill. What weighs in my mind is, when will the provisions of such a Bill be extended to the mufassal? My Lord, since 1886 the subject was discussed by Government and it was left aside. In 1912, the same subject was again discussed and then it was considered that the provisions of the Calcutta Municipal Act as well as the provisions of the Bengal Municipal Act were not sufficient. But matters stood there and no steps were taken to remedy the growing evil. My Lord, it is a wonder to me why this law was left as it was, and it is a matter of satisfaction to me that at any rate some step has been taken by Government to check this growing evil. As an administrator in a metropolitan municipality I found that all the prosecutions which I started were ineffectual, but to-day I see the anxious desire of Your Excellency to put a stop to this evil, and as I say, I congratulate the Government on this matter. But my Lord, at the same time I say to this Council and to Your Excellency and to the Member in charge that effective steps should be taken for the protection of the people in the mufassal. The law has its own course, legislation has its own course too, but I submit that the question which is at issue to-day is a part of a large problem and who knows that the very measure which has been explained so lucidly by the Member in charge will not take much time to go through. That is weighing in my mind and although I

welcome this measure at the same time I wish to impress upon the Council the necessity of giving effect to the expected legislation in the interior part of the country as soon as possible. With these words, my Lord, I do support the motion; I pray that it be passed into law."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, I join with the Hon'ble Maharajadhiraja Bahadur of Burdwan in thanking Your Excellency most heartily for the readiness with which you have responded to the appeal from the Hindu community. My Lord, at the same time I must say that this evil is an evil which we have been enduring for the last 40 years, and not only enduring, but have been appealing times without number to Government for some remedy. In 1886 a similar panic took place in Calcutta and it will be seen on a reference to the proceedings of the Legislative Council that a deputation of some of the leading citizens mostly Municipal Commissioners of Calcutta, in an informal manner, waited upon the then Lieutenant-Governor, Sir Rivers Thomson. It was during his visit to Calcutta in July and August that he had interviews with several gentlemen of the native community who represented that discoveries had been made of the adulteration of *ghee* which is very commonly consumed among them. He had also an interview with Sir Henry Harrison, the Chairman of the Corporation, who affirmed that statement and it became a point for consideration whether the Government should interfere in the matter. Then, my Lord, His Honour asked the learned Advocate-General to take up the matter. Sir Charles Paul took up the question with all the energy and promptitude for which he was much applauded in Council and introduced a short Bill. The Bill was introduced in the Bengal Legislative Council on 17th September, 1886. In the Council, although the principle of the Bill was supported, a loud demand was made by the non-official members for enlarging the scope of the Bill. The Hon'ble Rai Jai Prokash Law observed :—'I am afraid the Bill before the Council will not satisfy the requirements of the grave crisis in which the people now find themselves,' and then, my Lord, Raja (then Lalla) Bun Behari Kapur stated in the course of his observations :—'As *ghee* forms the most essential element in sacrificial and propitiatory *homa* this panic of *ghee* adulteration has caused a dead-lock in all important religious and purificatory ceremonies of the Hindus—a people that are more sensitive on points of religion than on any other point of vital importance. So the evil on account of its magnitude and emergency calls for immediate legislation on the part of the Imperial Council, and I respectfully ask your Honour to move it to take prompt steps towards the introduction of such a Bill.'

A reference to the debate would show that the non-official members did not think the remedy proposed would strike at the root of the evil. We are exactly in the same position to day.

My Lord, some 31 years have passed away. I am not sure whether any legislation has been undertaken to control the evil at its very root, that is to say, to control the manufacturers who are mostly outside Calcutta but still, my Lord, we welcome this Bill for this reason that to a certain extent it will help to minimise the evil which at present prevails in Calcutta. As I said the Hon'ble Raja Bun Behari Kapur, on behalf of the people of Bengal, asked far a wider legislation. We are on the same footing in the present instance, that is to say, we also respectfully ask for a wider-all-India legislation to control manufacturers who are spread over different parts of India without which the evil could not be grappled with. However we are very thankful for what has been undertaken by Your Excellency. But there are one or two points which I would like to mention. While accepting the cardinal principle of the Bill and thoroughly associating myself with the object, I should like to point out that there ought to be some provision regulating importation. There is no definition of *ghee* in the Bill.

Rai Debender Chunder Ghose Bahadur.

The Corporation of Calcutta should make regulations prescribing a certain tandard specifying the component parts of *ghee*. If any *ghee* falls below hat standard then any person who does business with such *ghee* can be proceeded against. Otherwise it would be difficult to make out whether any naterial has been added to or abstracted from *ghee*. In this connection, should like to make a reference to the regulation under the English Act on the lines of which some standard may be laid down. Then here is another matter which has struck me from the very beginning. am speaking on behalf of a very large number of poor people who are etail traders in this city. There are some thousands of them, they re called *moodies* in ordinary parlance. There should be some provision o protect these people. I do not suggest to give them any loophole, but t the same time as we know from our own experience these *moodies* buy ne or two tins from the wholesale dealers and keep them in their shops and ell it in small quantities to poor people who live on 4 annas to 6 annas a ay. I think that something might be done to protect these people from nnecessary harassment and even, I may say, unnecessary oppression at the ands of unscrupulous officers. These people cannot pay the cost of analysis f every tin of *ghee*, (which is not less than Rs. 16). It strikes me that here should be some facilities for the analysis of *ghee* in Calcutta, that is to ay, wholesale dealers should not be permitted to sell any *ghee* which is not nalysed and pronounced free from any adulteration, and on the production f a warranty they shall only be allowed to sell *ghee* in Calcutta. If the etail dealers produce a satisfactory warranty that they had purchased from hese people, I do not think that they should be put to any trouble. These oor people buy *ghee* at, say, Rs. 55—60 a maund and sell it at Rs. 62 or Rs. 63 maund. Two or three rupees on a maund is all they make. They have ot got a laboratory and they cannot analyse it, and they will be put to all sorts f inconvenience although they have the best of intention to sell pure *ghee* think that these matters at least require consideration or discussion with he Hon'ble Member in charge of the Bill. Whether it is possible or not, aving regard to the cardinal principle of the Bill being maintained intact: o insert some provision which will also protect them from any possible arassment or oppression at the hands of unscrupulous officers, I should ke some discussion. With these few words, my Lord, I beg to support the troduction of the Bill."

he Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said —

"My Lord, I represent the Corporation of Calcutta, and while associating yself with the observations of the Hon'ble Maharajadhiraja Bahadur of urdwan and the Hon'ble Rai Radha Charan Pal Bahadur, in the expression f thankfulness to Your Excellency for having so promptly taken up the cause f the suffering Indian public in the matter of adulteration of *ghee*, I will say his, that this evil is a very long standing one and it is only the temperament f the people to suffer, which accounts for their not having so long raised a amour on account of this evil, as we have witnessed lately in Calcutta. he Corporation of Calcutta is a heavy body, but it has still found time to ake some action in this matter—action for the amendment of the defective w as it stands. The Corporation actually took the trouble of drafting a Food nd Drugs Bill and sent it up to the Government with a prayer that a eparate Food and Drugs Bill should be passed independently of the Calcutta unicipal Act which was then understood to be under consideration for nendment, but the Government did not see their way to do it, and I can ly account for this dilatoriness by the fact that while the Corporation is a avy body, the Government is a heavier body, and it is more difficult to ove it. You have not come a day too soon for tackling this evil, and from hat has fallen from the Hon'ble Member in charge of the Bill, the proposed

legislation is not a hasty one, it has been well considered in connection with previous efforts in this direction, that is to say, in connection with a Bill for the amendment of the whole Act relating to the Calcutta Municipality, and also in connection with the clauses in the mufassal Municipal Act. Therefore I do not take it as a panic legislation and there can be no question that the principle of the Bill is quite sound. When Chapter XXXV of the existing Calcutta Municipal Act was enacted, it seems that the draftsmanship was at fault. The makers of the law intended no doubt to prevent the sale of adulterated food articles, but they did not use apt words to express that intention and hence some years ago when the matter had to be considered by the Corporation of Calcutta, they found that their prosecutions failed. They sent up the case to the Advocate-General who gave it as his opinion that if a man sells adulterated articles and puts up a signboard to that effect, he could not be punished for what he was doing. That showed the ineffective way in which the Act was drafted in 1899. I, therefore, welcome the present measure and I am sure there will be no obstruction on the part of any of my fellow members in the passing of this Bill."

The Hon'ble DR. DEBA PRASAD SARBADHIKARI said :—

"My Lord, as one of those who had asked for permission to wait on Your Excellency in deputation and one of those who was a member of that body I desire to give this Bill very strong support. After the way in which almost every member has whole-heartedly and without reservation welcomed the introduction of this measure, I should not have thought it necessary to add any words of mine in support of the Bill. But having regard to what the Hon'ble Rai Radha Charan Pal Bahadur has said in regard to one of the cardinal principles affecting the Bill, I think the position ought to be made quite clear. I entirely agree with the Hon'ble Member in charge that the essential point round which this Bill centres is that contained in sub-clause (3) of clause 4. The moment you try to introduce safeguards of the kind claimed by the Hon'ble Rai Bahadur, the whole object of the Bill will be gone. We absolutely sympathise with small dealers who in their ignorance are made mere tools than active agents in the hands of nefarious persons poisoning even essential food-stuffs with which Calcutta and in fact the whole of the country has been infested for some years past. At the same time we must recognise that these safeguards are not safeguards either to them or to the public. For a time it may be that those small dealers who do not know the situation well will have to suffer, but they will not suffer more than the patient public has so long been suffering. If any attempt is made to touch the elemental principle of the Bill, the Bill might as well be withdrawn. My Lord, whether Calcutta should be furnished with more than one laboratory by way of safeguards such as the Municipal authorities or representatives of the public may think it necessary, is a matter which need not trouble this Council. If what my Hon'ble friend is urging were to be accepted, I think from a certain point of view, which may well be respected and considered, it might be urged that the Government should fix the price of pure *ghee*, because the time will come when the supply of pure *ghee* will be small and dealers will be fixing fabulous prices which will practically make *ghee* unobtainable by the ordinary consumer. Is that a situation which the Government are likely to countenance? If a vendor who could not be proved to have known that he was dealing with an adulterated article, could go scot-free, the Bill would be absolutely nugatory; or if he were to be permitted to raise super-scientific questions about standardisation of *ghee*, about which the practical scientist has yet no doubt, there is hardly a perpetrator of adulteration who with proper, or shall I say—improper, legal or scientific aid could not be got off. The necessity of undertaking this legislation has existed for

Sir S. P. Sinha.

many years and we have for many years been thinking hard as to how to put matters right. Successive legislation has failed because of defects now brought to light, and let us profit by them when strong public agitation has once more brought the question to the fore. Where the Bengali failed the Marwari has triumphed, which need not be a matter of surprise or regret. On the question of principle absolute adherence must be given to what is embodied in the Bill, otherwise the Bill will be infructuous. I speak, my Lord, not only from the religious point of view of the Hindu, for we can go further—many other communities, like Jains, Buddhists and Muhammadans have serious scruples. And communities that are not affected by such scruples can hardly consent that foreign articles, such as snake's lard, should be permitted to come into the composition of this highly necessary food-stuff. The question therefore affects all communities and the pressure that has been brought to bear on the situation emanates from all sections of the community. As has been truly observed, it is not a panic legislation at all that we are considering, though undoubtedly it is an emergency legislation. The matter has been engaging public attention from all points of view for a long time, and there is hardly a clause in this Bill that in substance has not been considered almost threadbare from time to time by all concerned. Apart from the religious point of view we have very seriously to consider the hygienic deities and demons fought of yore round sacred fires in this classic land for pure *ghee*, for even the demon dreaded the adulterated stuff. Shall we be permitted to fare worse than they? I speak specially on behalf of the section of the community that is obliged to depend unfortunately much more upon this adulterated stuff than is usually known. I do not know when Your Excellency will be troubled with a deputation or a request for emergent legislation with regard to the servant question. That question is much more acute than is generally known and is a great element of uncertainty and anxiety in our household arrangements—much more than it was before. But hardly anywhere is it more acute than in our hostels and messes where our young men, literally in thousands, have to live. I notice this not by way of idle forewarning but all who know anything of the situation, know that our hostels and messes are at the mercy of hirelings, who absent themselves for days together some time and many of our students for many days in the week have to depend upon poisons called sweetmeats from the bazar made of this adulterated stuff not only for their minor meals but for their principal meals as well. That is telling very prejudicially upon the health of our student community. The evil is spreading fast among householders whose women-folk are not proof against the servant trouble for there also the same difficulties prevail. Some householders of the more old-fashioned type are for the time being better off for they do not always depend upon servants in these matters; their ladies when necessary will yet cook for them very acceptable meals when the hireling is rebellious. That however is not the fate of our more luckless householders or of our student and I appeal to Your Excellency on their behalf. A strong deputation of mere men waited on Your Excellency. I see, my Lord, a large and a more influential deputation facing Your Excellency in our visitors' gallery—young ladies who are very much interested in the best way of managing our households, and in providing the wherewithal for the daily struggles of their sons, fathers, brothers and husbands. From all points of view, I think, the time has long come when this matter has to be taken up in right earnest and unmindful of vested interest, and if this tangle of safeguards is to be countenanced, we shall never get the proper legislation."

The motion was put and agreed to.

The Hon'ble Sir S. P. Sinha moved His Excellency the President to suspend the rules of business to admit of the Bill being taken into consideration.

The President; Sir S. P. Sinha; Maharajadhiraja Bahadur of Burdwan; Babu Ambika Charan Mazumdar.

The PRESIDENT: "I suspend the Rules of Business."

The Hon'ble Sir S. P. Sinha then moved that the Bill be taken into consideration.

The Hon'ble the MAHARAJADHIRAJA BAHADUR OF BURDWAN said:—

"My Lord, I have not got very much to say excepting that I think that we would be failing in our duty as Councillors if we delay the passing of the Bill in this Council. There may be some who would like to have more time to consider the clauses of the Bill, but as the Hon'ble Maulvi Abul Kasem has pointed out that by the time clauses are considered the mufassal will be flooded with this impure and adulterated stuff sent out by the Calcutta dealers. I therefore appeal to the Hon'ble Members of this Council not to be carried away by any idea of appointing a Select Committee for discussing or considering these clauses. I sincerely hope that the Bill will be passed to-day."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—

"My Lord, when I entered the Council I was under the impression that there was not much of a necessity for departing from the ordinary procedure in dealing with this measure; but it now seems to me that having introduced the Bill it would be inexpedient to defer its consideration and that we ought not to postpone it even for a single day. If the Bill had not been introduced the matter might have stood on a different footing. But having introduced it you have given notice to the dealers in *ghee* to make the utmost of their dirty business. If you postpone it even for a week I am afraid these shrewd men will take the utmost advantage of even this seven days' time. They will export all their adulterated stuff at once to the mufassal so as to escape the penalty of the law which you propose to pass seven days after. Nor do I think it would be of much use in delaying this matter. My Hon'ble friend Rai Radha Charan Pal Bahadur has spoken on behalf of retail dealers. He thinks they are neither scientists nor experts and they are a perfectly innocent people. But I confess that I do not possess the same amount of sympathy for them as my Hon'ble friend does. They are participators in the same crime and they have been committing this crime for the last 40 years. My conviction is that 'mercy but murders pardoning those that guilt.' They have been committing this offence for a long time past and I do think it is nothing short of committing slow but sure murder. If a man touches my shoulder with his stick, he is liable to punishment even with imprisonment; but what an irony that the person who poisons my body, slowly deteriorates my health, visibly shortens my life, and endangers the happiness and prosperity of my family has gone on with impunity from generation to generation! I think it is high time that without any consideration of hardship or favour this remorseless enemy of society should be dealt with with the hardest hand. I think if we postpone this measure only to consider the case of the *moodie* for whom my friend is so keen, we might be doing another injury. A certain class of these vendors may be pardonable to some extent; but if you once open a loop-hole for one class of dealers you certainly open it to the other classes also, and I do think that it would be most unwise to keep any loop-hole for any of the dealers to defeat the very object of this salutary measure. Sufficient unto the day is the evil thereof, and I think that it is high time that this measure should be passed. It is not a contentious measure at all. We all agree that *ghee*, a most important article of food, is adulterated with the most obnoxious substances. The high mortality and the number of incurable diseases which prevail in this country may be easily traced to adulterated articles of food. We, Indians, do not take so much of meat as Europeans do and I think the quantity of fish that we take is also very limited. And if the simple food

taken by Hindus and Muhammadans alike in this province is allowed to be adulterated we put a very short premium, if not an absolute discount upon human life.

I think the provisions of the Indian Penal Code are not sufficient for the protection of the human body in this respect, and it becomes a simple mockery to make elaborate provisions in that Code touching even the ordinary offences affecting the human body so long as we cannot protect that body from adulterated articles of food. I do not know what we shall gain by referring this Bill to a Select Committee, unless it be to devise some means to make it futile in its operation.

For a time no doubt there was a question raised in various cases whether the provisions of the Mufassal Municipal Act or the Calcutta Municipal Act were or were not sufficient for this protection. It has been found repeatedly that they are not sufficient, and things have come to such a pass that a person is now audacious enough to expose for sale what he defiantly and openly advertises as being an adulterated article. This is a challenge to the authorities and an open defiance to the legislature. This is the sort of thing we have been tolerating for many years. We find now in this measure that not only the seller but whoever stores the adulterated article is also liable to penalty. I do not see what we gain by prolonging this period for passing this Bill. The only use or rather misuse of this delay would be to make certain exceptions in favour of this man or that man; but I am decidedly of opinion that no favour should be shown to anyone who deals in adulterated articles of food, particularly *ghee* and oil which are so difficult of detection, whether it is the retail dealer or the wholesale dealer—and the retail dealer is as obnoxious to us as the wholesale dealer. For these considerations I think it is not only prudent but it is imperatively necessary that the Bill should be passed offhand without giving any time to these persons who have large stocks on hand to dispose of them outside, or without giving them sufficient opportunity of making considerable use of them within this city. We ought to pass the Bill at once."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, in spite of the rather impassioned eloquence of the venerable Babu Ambika Charan Mazumdar, I would suggest that the Bill be referred to a Select Committee with instructions to report within a week. My Lord, it is not an unusual procedure that I am suggesting. In the first place, if we look back to the history of this legislation some 30 years back, we find that the same panic and the same pressure was put upon the Government and the same emergency legislation took place. The Bill was introduced into the Legislative Council on the 13th September and it was referred to a Select Committee with instructions to report within a week and it was passed on the 24th September. Comparing that time with the present one, it may be seen that on the last occasion it was urged that the *Durga Puja* was coming on and therefore the Bill should be passed before that ensuing *Durga Puja*. On this occasion the same thing has been urged in the representation to your Excellency. But the Durga Puja takes place this year on the 22nd October next, and if the Bill is passed on the 13th September and receives the assent of the Governor-General 10 or 12 days after, there will still be a month before the Durga Puja begins. It will therefore be seen that nothing will be lost by referring this Bill to a Select Committee for a limited period. We received this Bill only this morning—some of us received it in the Council Chamber just now—and we had scarcely time to snatch a breakfast and scarcely had time to read even its provisions. We are all animated by the same desire to see that the Bill is passed with this difference—whether it should be passed at this meeting without allowing us an opportunity of examining the several clauses of the Bill, or whether it

should be passed at the next meeting of Council, say, next Tuesday. There may be difference on some of the clauses: it is not to be assumed that we Indians are unanimous on every point. I do not wish to refer to the burning topic of the day, but even in that matter there is great divergence and it is no wonder that notwithstanding the impassioned eloquence of the Hon'ble Babu Ambika Charan Mazumdar, some of us are not in a position to agree that we, the responsible members of this Council, should give our final consent to this Bill becoming the law of the land before sunset to-day without even reading its contents.

The amendments which may be deemed necessary require some discussion in the Select Committee and with the Hon'ble Member in charge. I see no harm in allowing a week's time in discussing them with the Hon'ble Member in charge. I submit that in reply to the deputation, Your Excellency very considerately stated that the Bill would be referred to a Select Committee and that it would be passed next week and the deputation very thankfully accepted that assurance. I was one of these deputationists. This unusual hurry will also deprive the public and others interested in this legislation the opportunity to submit their criticisms, which may be helpful to this Council. It has been said that this postponement will afford the dealers some time to dispose of their bad stuff and to flood the mufassal with them. If this is so, it may be flooded to-morrow or ten days after. There is nothing to prevent the dealers doing so. I do not see any reason why this Bill should not be referred to the Select Committee with definite instructions to report in time so as to enable the Bill being passed next week."

The Hon'ble DR. NILRATAN SARKAR said:—

"My Lord, I am for having the measure passed at once as an emergency measure. I do not call it a panic legislation; it is an emergency legislation and there is no question about that. It has been said, my Lord, by my friend the Hon'ble Rai Radha Charan Pal Bahadur that the matter should be referred to a Select Committee for consideration and he has asked this Council what do we lose by that step. We do not refer Bills to Select Committee in order to determine what we lose, but what we gain; that is the main point. I know what we lose at this critical moment. I also know that thousands of my countrymen lose in money—good hard cash—and I know also what they lose—which is not apparent to the view of the public but to the eye of the medical men—in good sound health which is so much affected by taking this noxious stuff in Calcutta. I am surprised to find that the Hon'ble Member is determined to see this consumable poisonous stuff consumed by the people of Bengal, if not of Calcutta. I do not expect this from one who is a member of the Municipal Government of this city. There might have been omissions in the past, but if all our commissions and omissions in the Municipal Corporation be placed before us for putting off a salutary measure like this which seeks to do good to the whole of the people of Bengal, I do not know where we should be.

Another question has been raised by my Hon'ble friend, that *ghee* has not been standardised. Well, I think the standards have been very wisely kept out of the sections. Those who do the thing, those who are actually engaged in the work of analysis know their own standard and I purposely referred the matter to my friend Dr. Chuni Lal Bose, Professor of Chemistry in the Calcutta Medical College, and he wrote to me in reply to say that we could, by referring to a standard, not only differentiate between good and bad *ghee*, but we could also differentiate between cow's *ghee* and buffalo *ghee*, and the cow's *ghee* has been so far standardised that the standard has been introduced into standard works on food analysis. In the case of buffalo *ghee* we have to refer to our best experience, Sir, and that is the experience of the best experts of the Municipality and of the Government gained during

Maulvi A. K. Fazl-ul-Haq.

the last 30 years, and I think we can thoroughly rely upon that experience, and I have no doubt that those standards regarding the minimum standardisation of buffalo *ghee* will be introduced in the standard works in a short time, so my friend the Hon'ble Rai Radha Charan Pal Bahadur need not be very anxious about anything untoward happening in connection with the examination or analysis of *ghee*. Then, my Lord, the analysis of these experts has never been disputed by any authority inside or outside India. It has been accepted by those who understand and know the subject and I do not see why questions should be raised in this connection. I believe the standards have been very wisely left out of the sections. True it is that in many Food and Drugs Acts these are specified and it is laid down that particular samples of milk must contain so much percentage sugar, fat and casein, but I do not think this is necessary in the case of *ghee* at all, considering that the analysis will be conducted at least for the purposes of this Bill by very good experts in a laboratory against which the Hon'ble Member can say nothing, because he is one of the Municipal Commissioners of this city. Then, my Lord, in this connection I have to say only one or two words more. I believe that in order to protect the poor vendor we should not lose time nor should we give them any long rope, but what we ought to do is this; we should facilitate the analysis of *ghee* at the time of purchase so that if we want a particular sample, they can have it analysed at once at a small cost. I believe the Municipality will take this matter into consideration, and I hope that the distinguished members of the Corporation will not stand in the way of the Corporation appointing a larger number of analysts on the score of economy. I also believe that in order to make this law effective the administration will have to be looked to very carefully, and I do not think that a staff of eight inspectors will be enough for this purpose. I believe the municipality will take up the matter in right earnest and thus try to prevent the scandal that is prevailing in this city and has spoiled our health for so long a time. With these words I beg to state that I think the Bill should be passed at this stage without waiting one moment more."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, when I came to the Council Chamber this morning, I came prepared to oppose this proposal of passing the Bill at once. I am not sure, my Lord, if I still adhere to that opinion, but if I withhold my opposition at the present moment, I hope I will not be accused of inconstancy like the man of easy faith in the story, who could go to bed a Roman Catholic and get up a Protestant the next morning. There have been several reasons, my Lord, which have led me to reconsider my first decision. In the first place, I find that the rank of opponents to this measure being passed into law to-day, is gradually being thinned. We had an informal conference last night, and I thought that the sense of the meeting then was that we should oppose—not legislation, but this emergency legislation—and that we should propose instead a short reference to a Select Committee. I find that, except the Hon'ble Rai Radha Charan Pal Bahadur, there has been a conspiracy of silence among the other gentlemen who were present there and I do not know if they have gone over to the other side. The result of an opposition will be that both myself and my friend, the Hon'ble Rai Radha Charan Pal Bahadur, will be left in a very hopeless minority, and if it is the sense of the House that the Bill should be passed outright, I do not see any merit in being singular and persisting in an attitude of opposition when it has received the assent of so many Hon'ble Members in this House. There are, however, two or three points about which I wish to say something. I would like to take this opportunity of asking the Hon'ble Member in charge to consider the provisions of the Bill from the point of view of these objections. I hope he will kindly make

a statement so as to remove my apprehensions on these points, and I can assure Your Excellency that if my apprehensions are set at rest, I will be the very first to support this Bill. Before I point out these matters, I may just make a passing reference to the apprehensions of my friend, the Hon'ble Maulvi Abul Kasem, and endorsed by the Hon'ble Maharajadhiraja Bahadur of Burdwan, that the postponement of the Bill to-day might lead to the passing of the adulterated stuff now in Calcutta into the mufassal. I think, my Lord, my friend can make himself easy on that point. If the *ghee* dealers have not been foolish enough, they must have done that sort of thing long ago. After the discussions that have been going on in this Council they will know that from to-morrow, stringent measures will be in force to prevent the adulterated *ghee* being stored or sold anywhere in Calcutta and they are bound to take the alarm and shape their conduct accordingly. The apprehensions of my friend remind me of a certain man who was passing a ricketty bridge at a time when there was a mad man at the other end. Mad men always act under sudden impulses, but this particular mad man was sitting quietly, apparently quiet and innocent. The man who was passing over the bridge in order to make his passage secure by giving a word of caution to the mad man, shouted out 'Hullo, don't shake the bridge.' The result was that the mad man gave the bridge such a shake that the man tumbled into the river. Similarly the apprehensions that have been mentioned by Hon'ble Members will really remind the *ghee* dealers that something is going to happen with regard to all the *ghee* that is now stored in Calcutta, and they will do all they can to remove their *ghee* from the danger zone. I say all this because I do not think that these apprehensions that have been mentioned do not, in my opinion, constitute in themselves a reason why the Bill should be passed into law to-day.

The real points on which my difficulty arises are about one or two matters to which references have already been made by my friend, the Hon'ble Rai Radha Charan Pal Bahadur. So far as the Bill is concerned, the first question that I would put to the Hon'ble Member in charge of the Bill is this, are we not spreading the net far too wide to exclude the possibility that the innocent will be enmeshed equally with the guilty? The law no doubt cannot mark out fine lines of distinction between the guilty and the innocent in all cases, but the legislature must always take care, in framing laws, to protect the innocent while punishing the guilty. Take for instance the case of exported *ghee* to which reference has already been made. We are dealing with *ghee* manufactured and stored in Calcutta, but what about bad *ghee* manufactured outside Calcutta and exported to Calcutta, which the tradesman receives quite innocently, buys honestly, and then when it turns out to be adulterated pays the penalty for the guilt of somebody else. Will the Hon'ble Member consider if the present Bill, as drafted, protects that class of persons? It is just possible that a contingency like that will arise. Secondly, my Lord, although the Hon'ble Babu Ambika Charan Mazumdar could not see his way to make a distinction between retail and wholesale dealers, that is also a point that ought to be borne in mind. It is just possible that a wholesale dealer may conceal his guilt cleverly, but the retail dealer who buys from him may nevertheless come within the meshes of the law. If possible, some provision should be made to protect this class of innocent dealers. Then, my Lord, as regards the analysts about whom, my friend, the Hon'ble Dr. Nilratan Sarkar, has spoken. It is urged that a large number of analysts will be required and that the Corporation should not grudge the additional expenditure that might be necessary; but will the employment of a large number of analysts in itself exclude the possibility of innocent men being prosecuted under the present law? These are the few points that struck me as what ought to be considered before the Bill is passed into law. I am speaking, my Lord, as if before a Select Committee, and I venture to be permitted to point out what appears

Maulvi Abul Kasem; Rai Debender Chunder Ghose Bahadur; Kumar Shib Shekhareswar Ray.

to me something like obvious defects. If I withdraw my opposition to the passing of the Bill I do so with an easy conscience, because I comfort myself with the thought that the Bill has been drafted by one of the most skilful and erudite lawyers that we could get in India. I therefore appeal to him to consider if, while passing this Bill, he has not taken into consideration the various contingencies that may possibly arise whether he has not made sufficient provisions in the Bill to safeguard the innocent while punishing the guilty. If he is satisfied, I can rely safely on his judgment, and in that view of the matter, I withdraw my opposition to the passing of the Bill to-day."

The Hon'ble MAULVI ABUL KASEM said :—

"I have already said what I wanted to say about this Bill. I only want to see this Bill passed to-day."

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said :—

"My Lord, I support the Hon'ble Member in charge in his endeavour to pass this Bill at this day's sitting and my reasons are these. The law to prevent the adulteration of foodstuff and the punishment to sell adulterated *ghee* is not a thing new to the country. At least there was a law in the year 1888 passed by the Bengal Council, and from that time to this there has been this law. Another Act, the Act of 1899, is being amended now and therefore it cannot be said that this matter has not had much consideration. Having discovered that the law is faulty in that it cannot punish the man who proposes to sell adulterated articles it is incumbent on us to give effect to the intention of the legislature of past days in framing the clauses relating to foods and drugs in the Municipal Act. If any Hon'ble Member has anything better to suggest then I am sure he will agree with us all in desiring that this Act should be amended in such a manner that the sale of adulterated *ghee* should not be permitted. If that be the intention then there is nothing to be gained by a delay. On the contrary, the result of the delay will be that this poisonous stuff in this city would be exported by the retail dealer for whom my Hon'ble friend has so much sympathy. One is glad to find that even the retail dealer has some one to speak for him, but considering the balance of convenience I think that much is to be gained by having the law passed at this day's sitting than having it postponed for a week. I know of a case where a Bill having been referred to a Select Committee so many questions arose that the Hon'ble Member in charge of the Bill had to say that the Bill could not be passed and that it must again go to the Government of India for their sanction over something or other. That is the case which happened in the case of the Hackney Carriage Bill last year. I am not saying that that will be the case with this Bill if it be referred to a Select Committee—it is a mere possibility—but we cannot say what time will be taken over this Bill. I therefore support the motion of the Hon'ble Member in charge."

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY said :—

"My Lord, like the Hon'ble Maulvi Fazl-ul-Haq when I came here this morning, I was for requesting the House to refer the Bill to a Select Committee and the reason for this was a matter of principle with me. I do consider that it is a bad principle to give assent to a Bill about which we knew nothing even 15 hours ago and on the details of which we have had no opportunity of taking the sense of our constituency. But after what has fallen from my friend the Hon'ble Maulvi Abul Kasem I am of opinion that the Bill should be passed to-day. Otherwise there is every chance of all the Calcutta stock being sent over to the mufassal. It will be a dangerous thing

to have the mufassal markets flooded with cheap adulterated *ghee* just before the *Pujas*. I therefore beg to support the motion."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, I think the Hon'ble Rai Radha Charan Pal Bahadur mentioned one or two matters in regard to which I should like to say a few words. The Hon'ble Member desires that the question of the standardisation of *ghee* might be considered in Select Committee. That is one of the reasons why he would like a reference to a Select Committee. Now that arises with reference to the question of definition. Perhaps the Hon'ble Member has failed to notice that what we have defined is not *ghee* but adulterated *ghee*, *i.e.*, what constitutes adulteration. *Ghee* is supposed to be an ordinary well-known article of commerce with regard to which there is a standard already. We could not define that in our Bill nor have we attempted to define a standard of *ghee*, and as the Hon'ble Dr. Nilratan Sarkar has said, we may assume that the analyst when he analyzes any sample that is sent to him to find out whether it is adulterated or not, will have in mind the well-known article of commerce and food known as *ghee*; therefore, I do not think that any apprehension need be entertained with regard to this matter. There is another matter with regard to which both the Hon'ble Rai Radha Charan Pal Bahadur and the Hon'ble Maulvi Fazl ul-Haq seemed to lay some stress, *viz.*, the question of a possibly innocent retail dealer selling bad *ghee* without knowing that it is bad. As I said when asking for leave to introduce the Bill a cardinal point of the Bill is that you must make it penal to sell or store for sale *ghee* which is bad, irrespective of the question of knowledge. Without that, the Bill would be futile and we might just as well not have a Bill at all. But it is not as if we were legislating for the express purpose of making innocent vendors guilty. The effect of this legislation will be to require all vendors to take every precaution possible for the purpose of obtaining the pure article which he must proceed to sell the moment the Bill is passed into law. He can satisfy himself before he purchases his *ghee* by asking that the *ghee* which is going to be delivered to him should be submitted to analysis or the wholesale dealer who sells the *ghee* must, along with every tin that he sells, produce a certificate from an analyst without which the retail trader will refuse to accept the *ghee*. In other words, as I have endeavoured to explain, the Bill casts upon retail traders, quite as much as wholesale traders, the duty of satisfying themselves by every possible precaution that what they are dealing with and what they are going to sell to the public is not bad *ghee*. In this connection I would venture to remind Hon'ble Members of the provision in the Bill which lays down that a report sent by an analyst certified by the Chairman and employed by the Corporation for the purpose of analyzing *ghee*, shall be sufficient evidence of the result of such analysis, so that if the retail trader can produce a certificate to that effect which he either gets himself or gets his wholesale dealer to get from the analyst, he is perfectly safe. I know that it may be in some cases a hardship, but the hardship on the public is much greater, and in order to save a possible case where a man may, by reason of his own negligence, have bought adulterated *ghee* without knowledge, are we to expose the public to a practice which seems to be universally condemned? That is all I can say with regard to the assurance which my Hon'ble friend urges me to give for protecting innocent retail vendors. If the retail trader has been negligent, if he has not insisted upon such proof of the *ghee* being pure, as he ought to have insisted upon, he would come within the meshes of the law. My point is that without such a provision, the Bill will be absolutely useless. I will also remind Hon'ble Members that there are facilities for analysis in Calcutta to a very much larger extent than is supposed by some Hon'ble Members. There is not only one laboratory, the Municipal laboratory, there are also others which go in for analysis of such

aterials and are open to the public, and if there is a large number of nalyses required, I daresay both the municipal laboratory and private aboratories like that of Smith Stanistreet & Co. will charge such reasonable ees as to put it within the reach of everybody. The man who wants pure *hee* will have to pay the price of the article *plus* an additional charge for the nalyst's fee, in order that they may have pure *ghee*. One other matter, and hat is this. Hon'ble Members will remember that in almost the very near uture, by November next, we hope to introduce the larger Calcutta Municipal Bill. These provisions will again appear in that Bill, and if in the practical working of these provisions during the next few months, Hon'ble Members find that it presses hard on any section of the public, it will be open to them to move for the purpose of amending these sections by the ight of practical experience. Under these circumstances I again venture o put it to the Hon'ble Members as to whether it is worth while to refer this Bill to a Select Committee."

The motion was then put and agreed to.

Preamble.

The President then moved that the preamble form part of the Bill.

The motion was put and agreed to.

Clause 1.

The President moved that clause 1 form part of the Bill

The motion was put and agreed to.

Clause 2.

The President moved that clause 2 form part of the Bill

The motion was put and agreed to.

Clause 3.

The President moved that clause 3 form part of the Bill.

The motion was put and agreed to.

Clause 4.

The President moved that clause 4 form part of the Bill.

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I wish to know with reference to this clause whether any retail shop-keeper or grocer who sells *ghee* along with cocoanut oil, mustard oil, etc., under this clause, if he has other food-stuffs in his shop, he will be deemed to have such a thing in possession which is capable of being adulterated with *ghee*. What I mean is this, my Lord, that the *moodie* or retail shop-keeper who has purchased two tins of *ghee* and one or two tins of mustard oil or cocoanut oil and other food-stuffs is he to be deemed to have kept these articles in his shop for the purpose of mixing with *ghee?* In order to avoid the difficulty in such cases, would it be possible to provide in the Bill that the wholesale dealer shall be bound, when selling *ghee* to retail dealers, to affix to every tin that he sells a certificate or an indelible stamp from a recognised analyst, preferably from the analyst of the Corporation, that the *ghee* is of such proper stuff that it is pure *ghee*, whether some provision cannot be inserted in the Bill in order to safeguard the public as well as to provide as far as possible the innocent people who are simply earning some livelihood from this business in Calcutta. Notwithstanding all that has been said, I may observe that I still hold that with due regard to the principles of the Bill that this matter may be considered. It is not now possible to refer it to the Select Committee, but if any such provision can be inserted in the Bill, I hope the Hon'ble Member will do so."

Sir S. P. Sinha; Rai Debender Chunder Ghose Bahadur; the President; Maulvi A. K. Fazl-ul-Haq.

The Hon'ble SIR S. P. SINHA said :—

"My Lord, I am not sure that I have followed my Hon'ble friend in regard to what he asks for. I understand that his proposal is that he would like us to insert a section or a clause which requires the wholesale dealer as opposed to the retail dealer to affix a certificate from an analyst spoken of in clause 10, sub-clause (5) of the Bill. I do not know that this has been suggested by anyone except my Hon'ble friend that we must have a certificate attached to it. After all he may not sell it in tins, he may sell it in some other kind of receptacle, he may sell it by the seer or by the maund without selling it in any particular kind of receptacle. How is he to affix the certificate in that case? The precaution should be taken by those who buy from these dealers and they must insist upon a certificate which relates to the *ghee* they are buying. It must be left to the good sense of the people to secure such guarantee and I do not think it is possible to amend this section, so as to prevent all possible cases of hardship."

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said :—

"May I speak?"

The PRESIDENT said :—

"It is open to any Hon'ble Member to move an amendment to a clause if he wishes to do so."

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said :—

"My Hon'ble friend, Rai Radha Charan Pal Bahadur, has referred to the unfortunate position of the *moodie*, who, of necessity, has to keep a stock of mustard oil and cocoanut oil with *ghee* and other articles in his shop for his customers. His is a shop and not a factory. But if there is an ill-judged prosecution based on a supposed presumption that those oils were kept for mixing with *ghee*, then the presumption can be rebutted if the *moodie* can prove that his business is not simply to sell *ghee*, but also mustard oil, cocoanut oil, etc., and that therefore he is bound to store those things. Certainly the Magistrate will exonerate him from the charge."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, what strikes me with regard to certificates of analyses is this. As regards clause 10, sub-clause (5), I think the idea is that the wholesale dealer shall have a certificate attached to vessels containing the *ghee*. Supposing, my Lord, the wholesale dealer has got 50 jars full of *ghee* and the analyst gives him a certificate for all the *ghee*. Supposing two of these jars are sold out and he substitutes them with two jars of adulterated *ghee*, what would happen in that case? The certificate will remain attached to the vessel, while the *ghee* inside may be as bad as any at the present day."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, he must prove, I take it, that the certificate relates to the *ghee* that he sells. It is a matter of evidence. It is not enough to produce some kind of certificate. The certificate must relate to the *ghee* which he sells."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"This is a matter of detail. There is a jar bearing a certificate stating that the *ghee* in the jar is good *ghee*. Supposing the contents of the jar are sold out and immediately the dealer puts in adulterated stuff and attaches the certificate. The certificate will show that the *ghee* inside the jar is good *ghee*. What would prevent him from doing this?"

Sir S. P. Sinha; the President; Rai Radha Charan Pal Bahadur; Mr. M. Ashraf Ali Khan Chaudhuri.

The Hon'ble SIR S. P. SINHA said :—

"The certificate presumes that when the analysis was made of the *ghee*, there was no foreign substance in it. If something has come in subsequently, some one must be responsible for putting it in and we must hold the seller responsible."

The PRESIDENT (addressing the Hon'ble Rai Radha Charan Pal Bahadur) said :—

"Does the Hon'ble Member wish to move an amendment to this clause?"

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"No, I do not wish to move an amendment; I simply wish to draw the attention of the Hon'ble Member to the difficulty."

The motion was put and agreed to.

Clause 5.

The President moved that clause 5 form part of the Bill.

The motion was put and agreed to.

Clause 6.

The President moved that clause 6 form part of the Bill.

The motion was put and agreed to.

Clause 7.

The President moved that clause 7 form part of the Bill.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, I would ask whether the provisions of sections 502 and 503 can apply to any *ghee* in the course of transit *to* Calcutta. The Bill refers only to *ghee* in course of transit *in* Calcutta."

The Hon'ble SIR S. P. SINHA said :—

"I pointed out to my Hon'ble friend that this was intentionally done, as we were not legislating for limits outside Calcutta. It was only meant to apply to *ghee* when it is in Calcutta itself. *Ghee*, when it is in course of transit *to* Calcutta, say over the Howrah Bridge, cannot be touched."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"I am confronted with this difficulty—am I to understand that if there is a consignment of a waggon load at Howrah station of bad *ghee*, nothing can be inserted in the Bill, without the sanction of the Government of India, to prevent that consignment coming to Calcutta?"

The Hon'ble SIR S. P. SINHA said :—

"With regard to Howrah, I may point out that this Bill when passed may be extended to Howrah by notification. Until that is done, even a waggon load in Howrah cannot be seized."

The Hon'ble MR. ASHRAF ALI KHAN CHAUDHURI said :—

"Does that include any private person bringing in adulterated *ghee* for his own consumption? Will he be prosecuted under section 502?"

The Hon'ble SIR S. P. SINHA said :—

"It is intended to apply to *ghee* for sale only. As a matter of fact section 503 does refer only to articles exposed or hawked about for sale or deposited in or brought to any place for the purpose of sale or for the preparation of such articles as aforesaid."

Mr M. Ashraf Ali Khan Chaudhuri; Rai Radha Charan Pal Bahadur; the President; Sir S. P. Sinha.

The Hon'ble MR. ASHRAF ALI KHAN CHAUDHURI said :—

"That's all right."

The motion was then put and agreed to.

Clause 8.

The President moved that clause 8 form part of the Bill.

The motion was put and agreed to.

Clause 9.

The President moved that clause 9 form part of the Bill.

The motion was put and agreed to.

Clause 10.

The President moved that clause 10 form part of the Bill.

The motion was put and agreed to.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"Might I speak on clause 10 (5)?"

The PRESIDENT said :—

"The Hon'ble Member cannot make any reference to a clause which has already been passed by the Council."

Clause 11.

The Hon'ble Sir S. P. Sinha moved by way of amendment that after sub-clause (*1*) of clause 11 of the Bill the following be inserted, *viz.* :—

(*1a*) after the entries relating to section 499, sub-section (2), the following shall be inserted, namely :—

"Section 503, sub-section (*2a*).	Removing, interfering or tampering with *ghee* seized and left in custody.	Two hundred rupees".

He said :—

"My Lord, it is to supply an omission or rather a slip which has been pointed out to me by the Hon'ble Babu Mahendra Nath Ray, that I desire to put in this amendment in one of the penal clauses. Members will have noticed that under clause 6 of the Bill the Chairman may, instead of carrying away *ghee*, seize it under sub-clause 2, leaving the same in such safe custody as he may think fit, in order that the same may be dealt with 'as hereinafter in this chapter provided.' Then the section provides that no person shall remove such *ghee* from such custody or interfere or tamper with the sale in any way while so detained. To do so will be an offence, but no penalty for it is provided in section 11, though it was provided in the Calcutta Municipal Bill, the penal clauses of which have been sanctioned by the Government of India.

The motion was put and agreed to.

The President then moved that clause 11, as amended, form part of the Bill.

The motion was put and agreed to.

The Hon'ble Sir S. P. Sinha moved that the Secretary be directed to number the clauses and sub-clauses of the Bill in consecutive order and to make corresponding alterations in all cross-references thereto, and also to correct a clerical error in clause 3 of the Bill by substituting the figure *5* for the figure *4* in brackets in the third line.

The motion was put and agreed to.

The Hon'ble Sir S. P. Sinha then moved that the Bill, as amended, be passed.

The motion was put and agreed to.

Mr. Beatson Bell.

The Hon'ble Mr. Beatson Bell moved that the Bengal Tenancy (Amendment) Bill, 1917, be referred to a Select Committee, consisting of the Hon'ble Mr. Stevenson-Moore, the Hon'ble Mr. Bompas, the Hon'ble Mr. Panton, the Hon'ble the Maharajadhiraja Bahadur of Burdwan, the Hon'ble Maulvi Abul Kasem, the Hon'ble Mr. M. Ashraf Ali Khan Chaudhuri, the Hon'ble Rai Mahendra Chandra Mitra Bahadur and the Mover, with instructions to circulate their report in time for its presentation in Council at a meeting to be held in November next.

He said :—

"My Lord, as regards the object of this Bill, we are, I think, all agreed. We all desire that the aboriginal tribes should retain their lands and should not lose them. I explained at the Dacca sitting that we have tried to secure this object by declaring that 'no transfer by an aboriginal tenant by private sale, gift, will, mortgage, lease, contract or agreement,' shall be valid to any extent except as provided in the Bill. Having laid down this general principle we proceed to specify the exceptions. As far as private sales, gifts, wills, contracts and agreements are concerned, we provide no exceptions. In other words, the Bill stands as a bar against all transfers of that nature. On the other hand, we make important exceptions as regards leases and mortgages. We have provided, as the House remembers, that an aboriginal tenant may sublet, or make a usufructuary mortgage of, his land to another aboriginal. Moreover, if he finds that he is unable to secure a suitable aboriginal as his lessee, he can apply to the Collector for permission to lease the field to a man of another race. If the Collector, after making such inquiry as he thinks proper, is satisfied that the proposed transaction is sound, he can accord his sanction. These are the main principles of the Bill, and in order to secure that the Bill is not a dead letter, the Collector is vested with certain powers. Either on his own initiative, or on an application received, he can order the ejectment of a transferee who has come in possession in contravention of the principles of the Act. In order to stop two obvious loop-holes we have added two very necessary corollaries. In the first place, we have prevented an evasion by means of "money-decrees" of the prohibition against private sales. In the second place, we have prevented a similar evasion by the simple expedient of 'abandonment on the part of A and new settlement on the part of B.' The House will observe that in the first proviso of 49 K we have laid down that a tenure or holding may be sold to recover an arrear of rent which has accrued in respect of that particular tenancy. This is a very important concession to the landlord. Rent suits in respect of aboriginal tenants will proceed exactly as other rent suits; the only difference will be that the execution proceedings will be in the hands of the Collector. This is tantamount to the 'certificate procedure' which landlords are so anxious to obtain. We have not attempted to give a legislative answer to the difficult question 'What is an aboriginal?' We simply propose to notify the tribes to whom the Bill will be applied. One of the 'interpellations' which was made this morning related to this subject. We referred the questioner to certain tables which are published in the census report. These tables give a long list of tribes, animists and others, who are obviously aboriginal. It is not, however, our intention to issue wholesale notifications. The House will observe in the Statement of Objects and Reasons that we propose, in the first instance, to deal with the Sonthals in the districts of Birbhum, Bankura and Midnapore. Other tribes may be added later on, but each case will be dealt with on its merits. With these few words I move the motion which stands in my name.

It was suggested to me that it would be suitable to add the name of the Hon'ble Raja Hrishikesh Laha. He owns lands in the area affected and he is therefore much interested in the Bill. I have much pleasure in adding

his name to the list; and in order to present the usual balance of party, I would, at the same time, add the name of the Hon'ble Mr. Cumming. He has personal experience of the district of Midnapore, and will be a most useful Member of the Committee.

The Hon'ble BABU BHABENDRA CHANDRA RAY said:—

"My Lord, the Bill before us is not quite so innocent or innocuous as it has been sought to be made out. In fact it is perhaps one of the most contentious measures that have ever been brought up for discussion in this House. In the first place, it is a direct attack upon the dwindling privileges of the landholding classes. In the second place, it reserves to the executive the right to extend its provisions to any class or community, which, I take it, may or may not be aboriginal in origin, but may be deemed to be so for the purposes of the Bill. The Hon'ble Member in charge has stated that these simple aboriginal folks, unless they are protected against themselves, are in great danger of losing their ancestral lands. That may be so. But I think that in protecting the aboriginal raiyat against himself, care should also be taken that the rights of the zamindars are not lightly interfered with. As a matter of fact, I find that wherever the provisions of the Bill will be extended, there will be almost an utter negation of the rights of the landlords. And in this view the proposed legistation will be in complete contravention of the provisions of the Permanent Settlement. Section 49J seeks to take away the landlord's absolute right of re-settlement upon surrender or abandonment of tenancies, and invests the Collector with the same. Section 49H seeks to arm the Collector with powers to set aside all improper settlements or transfers. All over the Bill, it is the Collector who has been clothed in summary authority; and the only important privilege that will be left to the landlords seems to be that of paying Government revenue.

As for the humanitarian aspect of the Bill. I find it impossible to ascertain the class or community in whose interest it is being undertaken, and cannot therefore make out how far it is a necessary measure. The framers of the Bill have, in their wisdom, left the determination of this question quietly in the hands of the executive. They are not prepared to define the word 'aboriginal,' because, perhaps they have not confidence enough in their draftsmanship to think that they can so define it as to leave no scope for litigation with regard to its meaning. The device adopted may be very convenient, but it cannot have our approval. We want to know the widest possible extent to which the executive may stretch the term 'aboriginal.' It may be that it is not at present proposed to give all the aboriginal classes the benefit of this legislation. But a quixotic member of the executive may in some future time take it into his head to extend the provisions of the Bill to such people who cannot be included within the term 'aboriginal' by any stretch of imagination. Although the term 'aboriginal' may have a sense of reproach about it, the Bill makes it abundantly clear in section 49A that any body of persons to whom the provisions of the Bill are declared to be applicable will be deemed to be aboriginal only for the purposes of the special protection and indulgence which the proposed legislation seeks to afford, but need not be aboriginal in fact. This being so, it will make even the 'Koolin' Brahmin aspire to be declared an 'aboriginal,' and thus get the better of the landlord. And in certain cases, a declaration like this will be quite as highly prized as a 'Jagir.' My Lord, I am prepared to bet that we have got a humourist, may be an unconscious humourist, in the Legislative Department. How else can one account for such a Pickwickian provision in the present Bill? My Lord, in view of the fact that this Bill, if passed into law, will lead to a serious encroachment upon the status and powers of the landlord, we desire that it may be postponed pending an

inquiry by a mixed committee of officials and non-officials as to the area where and the particular people to whom any such protective measure should apply. We expect to know definitely from such an inquiry, if the situation justifies any such legislative interference, and to what extent, if at all, the zamindar should be called upon to surrender his rights. An opportunity should also be given to the various representative associations and landholders to express their views upon the subject. I am sorry I cannot agree to the Bill being referred to a Select Committee in its present shape."

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY said :—

"My Lord, candidly speaking I am not much in favour of any patchwork legislation of the kind now before the Council. The present Tenancy Act is full of omissions, inequities and defects which require even more prompt consideration than the matter which the present Bill has under contemplation. In fact what is now really wanted is that we should enter fully into the grievances of the zamindars and the raiyats and take up a legislation which will meet, in a satisfactory manner, the present-day requirements of all concerned. However the present Bill is a move in the right direction, and as such it has my hearty support, but there are a few points connected with it, which, I think, I should bring to the notice of the Council at this stage. First of all, I am sorry to say, there is an extreme vagueness about a very important matter of the Bill. It is about the definition of the word 'aboriginal.' In fact the administration of the whole Act will depend on this, consequently it is imperative that a clear and comprehensive definition of the word should be embodied in the Bill. This is also necessary to enable the zamindars to use their discretion in granting leases to their new tenants.

The next thing which strikes me as an innovation in this Bill is the introduction of revenue officers to discharge the functions of a Civil Court. The Bengal Tenancy Act is mainly administered by the Civil Courts under the guidance of the Honourable High Court. Under the circumstances, the proposed innovation, I am afraid, is sure to be objectionable to many. In the provinces where there is a system of periodical settlement of land revenue, it is perhaps necessary that the revenue officers should be in close touch with the affairs of land, but in Bengal this is quite unnecessary, and I hope that particular attention will be given to this aspect of the Bill.

My Lord, this Bill offers a splendid opportunity of bringing the zamindar into a closer touch with his tenants and also of utilising his services to the advantage of every one concerned. The Bill provides that an aboriginal raiyat under certain circumstances may mortgage his holding with a non-aboriginal with the permission of the Collector: instead of sending the raiyat to him at the first instance if he is made to take his zamindar's permission, I think his case would receive a much more careful consideration at the hands of his zamindar than at those of an unknown sub-deputy collector who is likely to act for the Collector in these matters. It, however, might be provided that if the raiyat is not satisfied with the decision of the zamindar he may refer the matter to the Court. I think this consideration on the part of the Government will not only foster a sense of responsibility in the zamindars but will also serve the purpose of the legislation more satisfactorily.

My Lord, there is another serious question which is involved in this Bill: it is that of the encroachment on the rights and privileges enjoyed by the zamindars from time immemorial. The zamindars have all along exercised their free will in making settlement of abandoned holdings in their zamindaries, but there is a provision in this Bill which necessitates a previous sanction of the Collector before the zamindar can resettle a

holding abandoned by an aboriginal raiyat. This is not only an unnecessary encroachment on our rights, but if given effect to, will cause undue delay in making settlement of abandoned holdings and will thus involve a considerable loss of money.

My Lord, in this connection I should, in fairness to the zamindars, protest against some unhappy remarks regarding them in the notes on this provision of the Bill. I beg to refer to paragraph 8 of the notes. It runs as follows :—'This is new, but experience shows that provisions regarding the prohibition or restriction of transfer are defeated by so-called surrenders or abandonments. Provision is therefore made for making the resettlement of such lands by the landlord subject to the approval of the Collector.' It is evidently presumed here that in order to frustrate the good and benevolent intention of the Government the zamindar will stoop so low as to conspire with his raiyats. It is suggested that after a consideration money has been received by the aboriginal he will make a so-called surrender of his holding to the landlord who in return will perhaps receive some fees and resettle it with the person who has paid the consideration money. My Lord, this is a very low and mistaken estimation of the character of the zamindars of Bengal. It is a pity that this sentiment should find a place in an official statement before the Council. I should further say that it is an ill-advised policy to rely on experiences gained in other parts of India. Bengal zamindars are very different from the class of people who are known as zamindars in those parts. Here in Bengal we have a permanent interest in the land as well as in our raiyats. To us the welfare of our raiyats is a matter of vital importance and we safeguard their interests with a much greater care than it can ever be expected to be done by a junior Sub-Deputy Collector set up over our heads. My Lord, in whatever shape the Bill is finally brought up before the House, I trust that due consideration will be shown for the dignity and prestige of the zamindars of Bengal."

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said :—

"My Lord, I am sorry to complain that the members of this Council have not been favoured with any papers justifying the introduction of this Bill in Council. Surely there are official papers on this subject, and we find in paragraph 3 of the Statement of Objects and Reasons that the present Bill is mainly the outcome of an inquiry instituted by Government into the condition of these tribes, particularly in the districts of Birbhum, Bankura and Midnapore, and to a certain extent based on the information derived during the settlement proceedings. The result leaves no room for doubt that special legislation to protect backward tribes against their own countrymen is ultimately necessary. I appreciate the motive and I agree that the Government should come forward and do something for the backward classes. Well, I am not wanting in sympathy with the zamindars, and do not think that they should lose their rights, but the paramount power has some duty towards these people who are called 'aboriginal'—a term of contempt,—who none the less require some special protection from Government. Before any legislative measure is launched and the consent of the members of Council is asked for, I think they are entitled to know the exact facts which necessitated the introduction of this measure in this Council. I think that is a very fair demand, as these facts are not official secrets which ought to be kept back from the public. That is the difficulty in considering this matter at this stage.

Then, Sir, there is the expression 'aboriginal' in this Bill which requires some light. To my mind, the word 'aboriginal' would denote persons who are semi-civilised, and who have not as fully developed as their neighbours and who are dominated probably by the others. There may be

some vague description of the word 'aboriginal,' but there is no reason why the Bill should not embody a proper and accurate description of the word. Otherwise, after this Bill is passed into law, at some future date the revenue authorities might think of extending the operations of this Act to a tract which really does not call for it. It would be a great hardship probably to these people, too, if this Act is applied to them, and there would be no opportunity for them to ventilate their grievances, and it is right that the public should have their rights and the limitations thereof defined in the Legislative Council before a proposed enactment is passed into law. I am aware that there are precedents for the course to be adopted, that is, an extension of a legislative measure by an order of the Governor, by rules framed by the Government. They are very common; none the less they are dangerous to the rights of the people. I think that we are nearing the time when everybody's rights should be defined by enactment of the legislature, and not left to the judgment of the executive Government. I have nothing further to say, my Lord, on the present occasion."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, as a representative of the landlords' interest, I think it my duty to make a few observations with regard to some of the provisions of the Bill which, in my judgment, require consideration. The first point about which I wish to make a few observations is the omission to define the word 'aboriginal'. I fully appreciate the difficulty which perhaps stands in the way of the Hon'ble Mr. Beatson Bell, but I may suggest this to my friend that omission to define the word does not get rid of the difficulty. If there is no definition, the question may be argued and argued very strongly for hours and hours together that a certain notification of this Government is *ultra vires* because it may be contended that, according to the dictionary meaning of the word 'aboriginal,' certain 'Sonthals', for example, whom this notification may seek to include, are not included, at any rate in many districts. According to the dictionary meaning of the word 'aboriginal' it means people found in the country at the time of the earliest settlement. According to that, my Lord, with the exception perhaps of my friend the Hon'ble Maharajadhiraja Bahadur of Burdwan, every Indian member of this Council present here is an aboriginal, but the Sonthal in a particular district is not an aboriginal. It is of the utmost importance that in framing our Bills, we should frame them in such a way that they may be open to as little contention as possible. Now, there is another aspect of the case as regards the opening portion of the Bill, and it is this. I have no doubt that the object of my friend is to protect those whom according to our clear general notion we know to be aboriginals, but we know also that Sonthals, for example from Chota Nagpur and Sonthal Parganas, have migrated to the different districts; they first of all come as labourers and then acquire land, and we should like to know whether the object of the Bill is to include these Sonthals who have settled in other places subsequently. It may be those that hereafter by notification different tribes mentioned in the Census report may be included. There, again, the question would perhaps come up for consideration of Courts as to whether the Act would apply to these tribes wherever they may be in this Presidency of Bengal. These are considerations which I ask my hon'ble friend to consider, not in any spirit of hostility, but because, although I am a representative of landholders, I consider that it is the duty of all landlords to be just to their tenants, and it is their further duty with regard to those tenants who cannot protect their own interests, and at the same time it is desirable that every possibility of litigation should be avoided as much as possible. Then, my Lord, there is another aspect of the Bill to which I should make a reference, and that is with regard to section 49 (J). Under that provision is it suggested that the right of settling

or otherwise dealing with a tenancy shall be deemed to be vested in the landlord subject to the approval of the Collector? Under the law as it at present stands, the right of settlement is with the landlord. If the landlord oppresses or does anything wrong which calls for interference, no doubt such interference would be perfectly legitimate. But is it right that the ordinary rights of the landlord should be taken away when it has not been proved that he is in the wrong? My suggestion is that there should be a provision in the Bill by which the Collector should have the power to interfere when necessity arises, but not that the landlord should have to go to the Collector in every instance. It will mean increase of correspondence and also interference of petty officers both of the zamindars and the Collector, and it will not tend to harmonious relations between the tenant and the landlord on the one hand, and the landlord and the Collector on the other. Then, my Lord, there is another general but important remark which I have to make, and that is about taking away the jurisdiction of the Civil Court. It may be necessary to protect the interest of these backward classes, but that protection may be afforded if a provision like this be made that in all cases of sales of lands of aboriginals, the decree-holder will be bound to give notice to the Collector, then the Collector will make an enquiry, and in such cases the Collector will always proceed in the ordinary way by employing his own men so that the rights of those classes are protected. Although the object of the Bill may be good, it is often dangerous to interfere with the ordinary law of the country. These are remarks which I have made not in a spirit of hostility to the Bill, but in a spirit that the Bill may not lead to contentions and defeat its own object by unhappy drafting."

The Hon'ble MR. BEATSON BELL said :—

"My Lord, I have little to say at this stage regarding the various criticisms to which we have listened. The points which have been urged are all points which may very suitably be placed before the Select Committee, in particular the discussions as to the true meaning of the word 'aboriginal.' If any workable suggestion is made, I am sure the Committee will be glad to consider it. I can say at once that there is not the slightest intention on the part of Government (either the present Government or any future Government) to declare that the *bhadralok* castes or the Muhammadan community are 'aboriginals.' The aboriginal is practically synonymous with non-Aryan. The Bill, as the critics are well aware, is intended for non-Aryan tribes and for them alone. As regards other criticisms they all amount to this, that the Collector has been given too much power and the landlords too little. The answer is simple. If the landlords in the past had carried out their moral duties and had seen that the aboriginals were retained in their ancestral fields, there would have been no occasion for this Bill. It is because it has been demonstrated by evidence that far too many landlords (some of them absentees) have done nothing to prevent the alienation of aboriginal holdings, that we have finally decided that it is our duty to protect these poor people by setting up a machinery which will be effective. The Select Committee will examine each part of the machinery and will improve it where improvement is required. I have nothing further to add at this stage."

The motion was then put in the following form and agreed to—

"that the Bengal Tenancy (Amendment) Bill, 1917, be referred to a Select Committee, consisting of the Hon'ble Mr. Beatson Bell, the Hon'ble Mr. Stevenson-Moore, the Hon'ble Mr. Cumming, the Hon'ble Mr. Bompas, the Hon'ble Mr. Panton, the Hon'ble Raja Hrishikesh Laha, the Hon'ble the Maharajadhiraja Bahadur of

Burdwan, the Hon'ble Maulvi Abul Kasem, the Hon'ble Mr. M. Ashraf Ali Khan Chaudhuri and the Hon'ble Rai Mahendra Chandra Mitra Bahadur, with instructions to circulate their report in time for its presentation in Council at a meeting to be held in November next.'

LIST OF BUSINESS—ITEM No. 3.

RESOLUTION.

The following resolution stood in the name of the Hon'ble Babu Surendra Nath Ray:—

"This Council recommends to the Governor in Council that shorthand writers be appointed, as early as practicable, in all Sessions Courts, to take down the charge as delivered by the Sessions Judge to the Jury."

He said:—

"My Lord, this resolution, perhaps your Excellency will remember it, was postponed at the July meeting of the Legislative Council to await the opinion of the High Court. This opinion has, I understand, been received by your Excellency's Government. I am not quite prepared to go on with this resolution at this stage. I should like to have a talk with the Hon'ble Member in charge regarding this resolution. I pray that it may be postponed to the next meeting of the Council."

The PRESIDENT said:—

"The Hon'ble Member asks for postponement of this resolution on the ground that the subject-matter of it has been a matter of discussion between the Government and the High Court. I understand that a communication has recently been received from the High Court on the subject and that that communication requires consideration. In these circumstances, I am prepared to grant the postponement to the next meeting of the Council."

The resolution was accordingly postponed.

LIST OF BUSINESS—ITEM NO. 4.

The Hon'ble BABU SURENDRA NATH RAY moved the following resolution:—

"This Council recommends to the Governor in Council that a board, consisting of official and non-official members, be formed for the purpose of advising Government in matters connected with primary and secondary education in the Presidency."

He said:—

"My Lord, in April 1913 in my speech in this Council on the budget estimates for 1913-14 I suggested the advisability of establishing an Education Board and a Sanitary Board consisting of official and non-official members for the purpose of advising Government not only on educational and sanitary problems but also on the proper expenditure of the Provincial and

or otherwise dealing with a tenancy shall be deemed to be vested in the landlord subject to the approval of the Collector? Under the law as it at present stands, the right of settlement is with the landlord. If the landlord oppresses or does anything wrong which calls for interference, no doubt such interference would be perfectly legitimate. But is it right that the ordinary rights of the landlord should be taken away when it has not been proved that he is in the wrong? My suggestion is that there should be a provision in the Bill by which the Collector should have the power to interfere when necessity arises, but not that the landlord should have to go to the Collector in every instance. It will mean increase of correspondence and also interference of petty officers both of the zamindars and the Collector, and it will not tend to harmonious relations between the tenant and the landlord on the one hand, and the landlord and the Collector on the other. Then, my Lord, there is another general but important remark which I have to make, and that is about taking away the jurisdiction of the Civil Court. It may be necessary to protect the interest of these backward classes, but that protection may be afforded if a provision like this be made that in all cases of sales of lands of aboriginals, the decree-holder will be bound to give notice to the Collector, then the Collector will make an enquiry, and in such cases the Collector will always proceed in the ordinary way by employing his own men so that the rights of these classes are protected. Although the object of the Bill may be good, it is often dangerous to interfere with the ordinary law of the country. These are remarks which I have made not in a spirit of hostility to the Bill, but in a spirit that the Bill may not lead to contentions and defeat its own object by unhappy drafting."

The Hon'ble MR. BEATSON BELL said :—

"My Lord, I have little to say at this stage regarding the various criticisms to which we have listened. The points which have been urged are all points which may very suitably be placed before the Select Committee, in particular the discussions as to the true meaning of the word 'aboriginal.' If any workable suggestion is made, I am sure the Committee will be glad to consider it. I can say at once that there is not the slightest intention on the part of Government (either the present Government or any future Government) to declare that the *bhadralok* castes or the Muhammadan community are 'aboriginals.' The aboriginal is practically synonymous with non-Aryan. The Bill, as the critics are well aware, is intended for non-Aryan tribes and for them alone. As regards other criticisms they all amount to this, that the Collector has been given too much power and the landlords too little. The answer is simple. If the landlords in the past had carried out their moral duties and had seen that the aboriginals were retained in their ancestral fields, there would have been no occasion for this Bill. It is because it has been demonstrated by evidence that far too many landlords (some of them absentees) have done nothing to prevent the alienation of aboriginal holdings, that we have finally decided that it is our duty to protect these poor people by setting up a machinery which will be effective. The Select Committee will examine each part of the machinery and will improve it where improvement is required. I have nothing further to add at this stage."

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Babu Surendra Nath Ray: The President.

Burdwan, the Hon'ble Maulvi Abul Kasem, the Hon'ble Mr. M. Ashraf Ali Khan Chaudhuri and the Hon'ble Rai Mahendra Chandra Mitra Bahadur, with instructions to circulate their report in time for its presentation in Council at a meeting to be held in November next."

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The President said:—

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The Hon'ble Babu Surendra Nath Ray moved the following resolution:—

"This Council recommends to the Governor in Council that a board, consisting of official and non-official members, be formed for the purpose of advising Government in matters connected with primary and secondary education in the Presidency."

He said:—

"My Lord, in April 1913 in my speech in this Council on the budget estimates for 1913-14 I suggested the advisability of establishing an Education Board and a Sanitary Board consisting of official and non-official members for the purpose of advising Government not only on educational and sanitary problems but also on the proper expenditure of the Provincial and

Babu Surendra Nath Ray.

Imperial grants on education and sanitation. I then said that with the large grants, both from the Provincial revenue and from the Government of India, for sanitation and education, with the larger responsibility thrown upon the Provincial Governments, it was necessary that there should be an advisory board to help Government in the proper expenditure thereof. At present the Director of Public Instruction is practically the sole and final adviser of Government in all matters relating to education. He is responsible not only for the management of Government schools and colleges but also for the distribution of the Government grants to all institutions and their inspection, and is responsible in working out all schemes for the encouragement and management of education in the Presidency. He is practically the adviser of the Government as regards the study of subjects for the primary and secondary schools except for the Matriculation standard. A single man, however able and energetic he may be, cannot be expected to do everything, and a great part of the duty with regard to primary and secondary education has devolved upon subordinate officers from the Divisional Inspectors of schools to the Inspecting pundit. I think it proper to place certain facts and figures relating to the state of primary and secondary education of this Presidency in order to show the necessity for the proposed board. From the quinquennial review of the progress of education in India for 1907—12 it appears that only 21·5 per cent. of the boys of school-going age throughout India are in the primary schools, while one in 56 boys of school-going age is in the secondary stage of an English school, while for Bengal (Western Bengal and Bihar) the figures are 25·5 for boys in primary schools and one for boys in secondary schools. For Eastern Bengal and Assam the figures are 25·3 for boys in primary schools and 1 in 41 for boys in secondary schools. A comparison of the figures for Madras and Bombay show that 27·1 and 30 per cent., respectively, of the boys of school-going age are in primary schools, while even in distant Coorg 27·2 per cent. of the boys are in primary schools. As regards secondary education 1 in 24 of the boys of school-going age is in the secondary stage of an English school in Bombay. From the report of the Director of Public Instruction for the year 1913-14 for Bengal, it appears that 28 per cent. of the boys of school-going age were receiving primary instruction, and although the figures for the Bengal Presidency exclude the low figures for the Chota Nagpur, Assam and other backward tracts, the figures for which used to be included in the old Bengal and Eastern Bengal and Assam figures, the percentage of students receiving primary instructions is less than that of Bombay, which includes Sindh. This shows that the advance of education in Bengal is not so great as one generally supposes.

True it is that in the figures for 1915-16, the latest figures available, the percentage of students to the total number of population of school-going age in primary schools is 30 per cent., which shows a decided improvement over the figures for the quinquennial period 1907-08, but a detailed examination of the statistics shows that this has been due not to the efforts of Government but to those of the managers of private schools. Let me quote here some figures from the report of the Director of Public Instruction for the years 1913-14 and 1915-16 :—

	Under Government.		Under Local Bodies.		Private schools in receipt of aid from Government or Local bodies		Unaided private schools.	
	1913-14.	1915-16	1913-14.	1915-16.	1913-14	1915-16.	1913-14.	1915-16.
Primary schools—								
Number of schools	181	191	2,404	2,826	27,708	32,180	4,205	5,213
Number of students	7,496	7,600	112,726	131,471	899,486	1,054,274	105,863	134,077
Secondary Schools—								
Number of schools	55	56	92	92	1,443	1,506	880	934
Number of students	15,787	16,909	9,337	9,580	171,681	188,746	151,102	172,259

Babu Surendra Nath Ray.

It will be seen that while during the two years there has been an increase of ten primary schools and one secondary school under Government, there has been an increase of 5,480 primary schools and 117 secondary schools under private management.

During 1915-16 Government spent Rs. 12,51,166 on secondary schools, the local bodies Rs. 2,53,540, while Rs. 11,29,859 were met from private contributions and endowments out of a total expenditure of Rs. 80,13,685, that is, of the total amount spent on secondary education, Government contributed 15·5 per cent. and private funds 14 per cent., and the rest is schooling fees. As regards primary education it appears that Government spent Rs. 3,77,287, the local bodies Rs. 16,45,608, and Rs. 1,15,318 were contributed from private sources, out of a total expenditure of Rs. 13,02,970, that is, Government only met 8·7 per cent. of the cost of primary education whereas private contribution supplied 10·1 per cent. of the cost. This is exclusive of schooling fees paid by boys.

My Lord, I am sorry to state that the general attitude of executive officers of the Educational Department, I mean inspectors and deputy inspectors and their subordinates, is far from what it should be in their encouragement of primary and secondary schools. The rules framed by Government also do not help the course of action. Numerous are the instances in which members, both of the Covenanted Civil Service and Provincial Civil Service, both executive and judicial, have taken warm interest in the cause of primary and secondary education in the mufassal, and have by their active interest been able to materially help the cause of such education. I am sorry I cannot say the same thing with reference to officers of the Education Department. They go to a mufassal school not with a view how best to help the school and the school authorities, but in a carping and fault-finding spirit. Instances are rare in which an Inspector or a Deputy inspector of schools has tried to co-operate with the public in raising money for a school starving for lack of funds, or which is not in a position to comply with the new University Regulations. Instances are rare in which an Inspector or a Deputy Inspector of schools has exerted his influence with Government to help such institutions. They may be very good professors in colleges, they may be very honest and hard-working officers, but they are either weak enough or they are indifferent to what seems to me their primary duty as an inspecting officer of the Education Department. It may be that they think that it is safer to show the Government a huge surplus in Government grants than to spend the same. They never try to get more schools established, their work is more destructive than constructive. They do not appear to have any great sympathy with the people. Far from taking the initiative in a matter conducive to the educational advancement of the people, they have even no proper appreciation of the difficulties which the authorities of the privately managed schools in the mufassal have to contend against. They fail to realise that the privately managed schools, whether aided or unaided, form the backbone of the educational system of the country, and the disappearance of an existing school for want of funds in a mufassal station affects not only the education of the people there, but is the cause of spreading discontent which it is the duty of Government to guard against. The progress of education at the present time depends on the bettering of the condition of the primary and secondary schools in the Presidency. It is useless to spend large sums of money on University education unless the primary and secondary education upon which the University education is founded be well and truly laid.

Then as regards the Government grant-in-aid rules. What are we to say of a rule which lays down that aided schools will not be able to admit more than 5 per cent. of Hindu boys and 8 per cent. of Muhammadan boys as free students in a school, though admission of a larger number of free students do not as a rule cost the Government or the school authorities a single

additional pie and though such admission means education to a larger number of boys. Under the said rules of secondary schools in Bengal the annual maintenance grants shall not exceed one-half of the income guaranteed from private sources except in backward districts where the grant may be equal to two-thirds of the income from private sources, while for middle schools the rules allow an increased proportion of Government grant. In Bombay the rules ordinarily allow a grant not exceeding one-half of the local assets, or one-third of the total expenditure during previous official year, while provision is made for supplementary grant if the ordinary grant is not sufficient. In the United Provinces the rules lay down that the amount of the annual grant shall not exceed the income of the school from tuition fees and private sources, or one-half of the amount of the annual tuitional expenditure. In the Punjab the amount of aid depends on the number of pupils in average attendance in schools. It thus appears that in other provinces the rules allow a more liberal system of grants-in-aid than in Bengal. I have not with me the statistics to show whether the other local Governments are able to act according to their rules in the distribution of Government grants, but I have shown that your Lordship's Government have not been able to approach to anything near the limit imposed by the grant-in-aid rules in case of secondary schools, although during the four years, *i.e.*, from 1912-13 to 1915-16, the Government of India were able to allow Imperial grants of large amounts for purposes of education. But we have seen the disappearance of many secondary schools, as authorities of these schools were not able to find the sum required for the necessary improvements demanded by the University, and the Government did not come to their help. There is another important fact which ought to be pointed out. Though as I have said under the Government grant-in-aid rules for secondary schools in Bengal the annual maintenance grant shall not exceed one-half of the income guaranteed from private sources, that is, it should not exceed one-third of the total expenditure, yet the average actual grant by Government comes to about one-sixth of such expenditure. To the majority of the schools of this Presidency, the large grants from the Imperial Government or from the Local Governments in aid of primary and secondary education seem to be a mere delusion. In the Government schools the cost of educating a student of a secondary school is about Rs. 44 per annum, while in a primary school it is Rs. 12-9-8. In board primary schools the total cost of educating a student is about Rs. 4-5. In aided institutions, however, the cost of educating a student of secondary school is Rs. 21, and in primary schools it is Rs. 3-4. But even with regard to efficiency it should be noted that so far as regards education is concerned, the authorities of schools or colleges under private management can secure the same class of men as are in Government schools at a less cost. I think the evidence given before the Public Services Commission has shown that private authorities are at an advantage on this point. It would, therefore, be advisable for cheapness' sake to assist the existing schools which are under private management. We find the following important admission in the Report on Public Instruction in Bengal for 1915-16: "The general condition of secondary education is bad . . Government schools which are supposed to be models are scarcely up to, in some cases below, the standard of the better aided schools".

I have stated the above facts to show what in my opinion are the defects in the existing system. These defects ought to be remedied. This can be done by a Board of Education which will inspire the confidence of the public and which will be able to appreciate the difficulties as well as properly estimate the views of the school authorities.

I have so far discussed the subject of primary and secondary education from the financial point of view as this is the most important of all. The courses of study or the different stages of the secondary and primary schools

are matters which require careful handling. A few years ago, a Director of Public Instruction, although a great student of chemistry, but who had never had any experience of any mufassal school, by a single stroke of his pen changed the whole course for the classes of primary and secondary schools as he wanted to transform the students of Bengal into practical scientists and boys of 7 or 8 years of age were forced to commit to memory pages from science readers enforced in schools by his order, without understanding a word of them.

The selection of text-books for the schools is done by the Text-book Committee, and there is no doubt a most excellent set of rules to guide it. And the inspecting officers of the educational department are very careful in their scrutiny of books in use in schools and they have even recommended different sets of books for different districts. One will be surprised to hear but nevertheless it is a fact that a book which can be used as a text-book in Howrah might not be used as a text-book in Calcutta. Suspension of Government grant-in-aid is the result in case of breach of such rules."

The Hon'ble MR. BEATSON BELL (interrupting) said :—

"My Lord, is all this in order?"

The PRESIDENT said :—

"I do not think the Hon'ble Member is out of order, though I will ask him to keep as closely to the motion as he can. I recognise that a certain measure of freedom must be allowed in discussing a question which raises such wide issues."

The Hon'ble BABU SURENDRANATH RAY continued :—

"The entire curriculum of the lower secondary and primary classes as at present in vogue requires thorough overhauling, and the manner in which these things have been managed by Government during the last few years has not inspired the confidence of the public. A board adequately representing all the different interests concerned would be able to advise Government both in its educational policy and scholastic management in a manner that would not be possible by any other agency.

The Government of the United Provinces have recently established an Education Board, and I move your Lordship's Government to establish one in the Presidency.

By way of suggestion I can only say that in the proposed board the representatives of local bodies and also non-official gentlemen who have got experience of the management of private schools in the mufassal, both aided and unaided, ought to be represented.

My Lord, I must admit that even in England, as regards primary and secondary education, the State has only slowly stepped into its proper place, more slowly than in the case of any other of the leading European countries. Even in the beginning of the nineteenth century there was no system whatever of elementary education in England and Wales. It is said that many endowments had been created, various societies raised considerable sums annually for the purposes of instruction, the clergy and ministers in many parts of the country were zealously promoting schools according to their different ideals, but there was no relation between the different bodies, no test of their work and no control over them, if they failed in the performance of it. It was known that the elementary instruction given was very defective and that the foundations of many pious benefactors were in many cases badly administered. In 1816 Henry Brougham (afterwards Lord Brougham) moved for a Select Committee of the House of Commons to inquire into 'the education of the lower orders'. He introduced a Bill for the appointment of

a Royal Commission to enquire into educational charities existing in England and Wales.

But the dealings of the State with education have in Scotland a much larger history than in England National education in England is about 45 years old, it is more than two centuries old in Scotland, and even before the Statute of 1896 established a school in every Scottish parish, the education of the people had been the subject of discussion both in Council, in Parliament and in the Assembly of the Church.

The defects in the educational system are obvious and are largely due not only to want of funds, but I think to a not very proper distribution of the same. I do not say that a Board of Education is the panacea for all the defects complained of, but I have every reason to believe that the establishment of such a board will be productive of real good to the country. If this board proves to be a success I hope the Government will be pleased to make it a board for the administration of primary and secondary education in this Presidency. The questions of primary and secondary education of the country are the burning questions of the day in which the rich and the poor, specially the poor, are vitally interested. It is necessary that Government should take the people into their confidence and consult and act according to their wishes, whenever possible, in allotment of grants both by the Imperial Government and the Local Government. Grants-in-aid to primary and secondary schools, curriculum of studies in primary and secondary schools, text-books to be used in schools, female education, industrial education of the Presidency are important questions which require a permanent board for their consideration. The school authorities have got their grievances, and there is now no authority where such grievances can be properly weighed and considered. Unlike England here the path of the Government is clear. We have not here any ecclesiastical or nonconformist party, as in England, with whom there is any chance of coming into conflict. The educated community wants to co-operate with Government and to be largely associated in the government of the country. They want to be of real assistance in solving the educational problem. If there is one subject in which more than another the people expect the sympathy of the Government it is with regard to matters connected with education, and it will not be a great concession if the Government were to accede to their reasonable demand.

It is not a very satisfactory state of things that Government by contributing 8·7 per cent. of the entire cost of primary education and 15·5 per cent. of the entire cost of secondary education should have the monopoly of all power, while the people who contribute 91·3 per cent. of the cost of primary education and 84·5 per cent. of secondary education should be merely the idle spectators of the scene."

The Hon'ble BABU BHABENDRA CHANDRA RAY said:—

"My Lord, the very modest resolution which has been moved by my hon'ble friend Babu Surendra Nath Ray but faintly represents the deep-seated desire in the popular mind to associate non-official opinion with the more important branches of public administration. I am sure the hon'ble mover would have pitched his demand a little higher with alacrity, and sought for the transfer of the functions of the Department of Public Instruction *en bloc* to a Board of Education, if only it were possible to bring about the same without a fundamental change in the constitution of Government. What the public demand is nothing less than that the control of such departments of Government as Education, Sanitation and Local Self-Government must no longer be vested in individual officials, but should be exercised by a Board or Committee on which public opinion should be well represented. My Lord, we hope that we are within quite a measurable distance of very substantial reforms; but so long as we do not get them actually, it is our bounden duty to try and

liberalise the departments of Government to such extent as may be possible under existing circumstances. By so doing, we will only be paving the way for larger reforms and making them appear less 'catastrophic' to the official vision.

As matters stand at present, there is next to nothing to temper the autocratic authority of the Director of Public Instruction; and it is a reproach on us that we have tolerated this state of things so long. The determined policy of Government for some time seems to have been to relegate the Indian element in the Department of Education to a back seat, and allow a monopoly of control to the European officers. As an instance, I may refer to the fact that while the number of inspecting officers of the department has steadily gone up during the last few years, the proportion of Indians holding independent divisional charge has almost dwindled to nothing. Things were otherwise some time before, when a definite number of divisional inspectorships and other high offices were practically reserved for Indians. To-day while the chief of the department is a European—though, it may be, with great and varied experience—his lieutenants to whom he looks for advice cannot claim to represent Indian views. The department has thus been gradually divorced of the benefit of Indian thought and experience; and if the process goes on unchecked for some time, the Director of Public Instruction will have to glory in a complete isolation from all that is Indian.

My Lord, I shall not conceal from this Council the distrust and want of sympathy with which the public regard the Department of Education. It is an open charge against it that in the name of efficiency it has not allowed a legitimate expansion of primary and secondary education in the country. It is a patent fact at any rate that the expansion in this direction has not been commensurate with the increase in expenditure. What will your Lordship think of a famine-worker who adopts as his principle that it is better to let people famish than feed them with anything but the very best quality of rice? Our grievance against the Department of Education is that it does not realise the poverty of India and the extreme urgency of a wider diffusion of education. Costly and complicated standards have been set up which go against the very grain and spirit of the Indian nation. Buildings, equipment and inspection engage larger attention and absorb larger funds than commonsense can approve of, and any substantial increase in number, either of schools or of school population, is regarded as a thing almost verging on indecency. This is unfortunately the general impression in the country.

My Lord, the department has in short grown too aristocratic, too expensive, too alien, too efficiency-maniac to suit us any more. I do not know how far a merely advisory board will be able to work a transformation. But the present resolution, though it does not go far enough, embodies the very least that ought to be immediately done by way of an instalment of a very necessary reform."

The Hon'ble Mr. Aminur Rahman said :—

"My Lord, the facts and figures given by my hon'ble friend reveal a deplorable state of affairs in the sphere of education in this province. This is not the proper occasion, nor is it the proper place to assail the policy of the Government with regard to educational matters. The Local Governments have not the power nor have they the means at their disposal to strike out a new line of action independent of the views of the Imperial Government. The India Government has been devoting special attention to the cause of education, and we still hope that some steps will be taken which

will uplift the people from a condition of sloth and ignorance that prevails in the country. But it does not follow that the Local Governments cannot or should not exercise greater energy and circumspection in order to raise the level and increase the sphere of education. The object of my hon'ble friend's resolution is to create a board to assist the Government in discharging their proper function in this matter. It is not a new idea. Nearly all civilised Governments have found it to be a necessary and indispensable element for the development of education. Official management is a good thing and serves a very useful purpose so long as the people themselves are not in a position to take any part in it. But the cause of education cannot flourish unless it becomes a matter of national concern. Government departments can and do work with all the best intentions in the world. They discharge their duties efficiently in accordance with the principles laid down for their guidance. But they still remain somehow impervious to new ideas, indifferent to the new aspirations of the people, and sometimes ignorant of their new requirements. It is in order to remedy this defect in the system that a leaven of public opinion and popular control is necessary. My hon'ble friend has hinted at a dark conspiracy amongst the inspectors and deputy inspectors of schools to impede the progress of education in this country. That I am sure is not the case. These much-abused Government servants are as much the victims of a vicious system as we ourselves. We must, if we want a change in their attitude and behaviour, remove the poison from the source from which they derive their strength and inspiration. And for that purpose the people of the land must have a controlling voice in the application of the sums at the disposal of the Government for promoting public education. In Bengal such power of control does already exist, but to a degree and in a manner which probably is not quite effective and useful. My hon'ble friend has said that the 'part taken by Government in the education of the people is comparatively small and the public and the local bodies as well as private charities may reasonably claim to have taken a substantial share in fostering education in this country.' If that be so, then the official victim of my friend's non-official temper will probably wonder what was the reason of that tirade against him. He may even feel some disappointment for not having his share of credit for so admirable an achievement. I am not prepared to argue with my friend or his official victim on this point. The fact remains that in Bengal the people by their own exertions have fostered the growth of education. But Government grants and official supervision do play an important part in the educational effort of the province. And the grants and the power of supervision have that place in the scheme of education that the will of the Government and not the will of the people has become the more effective and important factor. It is for the purpose of strengthening, regulating or controlling the will of the Government, as the case may be, that the creation of a board has been thought to be desirable. Much depends on the nature and composition of such a Board; and on these I venture to offer some criticisms. In Bengal—I do not know of other provinces—the Muhammadans, on account of their backward condition, have been receiving a special treatment at the hands of the Government. Rightly or wrongly they insist on that. In fact, some time ago a Board was appointed for making recommendations in order to give effect to this policy of special treatment. I cannot imagine any possible arrangement except the one that at present prevails, by which either in the composition of the Board or by a rigid definition of its powers the interests of the Muhammadans as understood by them can be properly safeguarded. The Board would necessarily supersede the Director of Public Instruction and his staff in the control and management of the educational machine. It will be the real power that will direct. And if it has plenary powers for the disbursement of funds it will refuse to receive any orders from the Government. The Government can only impress their will on the Board

by maintaining an official majority; but that is a condition that my hon'ble friend and his supporters will view with suspicion and alarm. If, on the other hand, there is a non-official majority, then the Government will be powerless. The Board again will not be responsible to the people as they will not control the selection and appointment of its members. In such an arrangement the Muhammadans will be at a disadvantage in pressing forward their sectarian claims. If this Board must come, and if at the same time Muhammadans must have special treatment, then a certain proportion of the funds must be earmarked for expenses for Muhammadan education. The Muhammadans will anxiously await Government's decision in this matter. But I should also tell my Muhammadan friends that the day is probably not very far off when free and compulsory primary education will have to be introduced in this country. If and when that day comes sectarian tendencies and sectarian interests will disappear and the common aspirations and common endeavour of the people will lead the two communities to grow up side by side and build up institutions worthy of a great people."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, as regards much of what I was going to say I have been forestalled by my hon'ble friend Mr. Aminur Rahman, and there now remains very little for me to add to what he has already said. If I interpose at this debate at all, I do so because I wish to emphasise the fact that it is the earnest desire of the Muhammadan members of this Council that the activities of the proposed board should not be allowed to interfere with the recommendations made by the Committee appointed some time ago to consider the problem of Muhammadan education in Bengal. It would be sufficient for our purpose if my hon'ble friend Babu Surendra Nath Ray will make that point clear and if the hon'ble Member in charge of that department will condescend to make a statement on that point. The resolution that has been moved does not say anything as regards the powers that are to be entrusted to the board. The words that have been used are vague, and if I may say so without disrespect, wide enough to include any amount of powers being entrusted to or withheld from the proposed board. In these circumstances, it will be much better, as I have suggested, if we can get some clear indication of the purpose for which this board is going to be constituted, in order that we may have no apprehension as regards the proposals that have been made. I have nothing further to say on the subject."

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord, I support the resolution that has been moved by the Hon'ble Babu Surendra Nath Ray, and in doing so, I want to make my position clear. I do not say that we want the board because the Department of Education has failed to do its duty, but because we feel that it will be of great advantage to the Director of Public Instruction himself and his colleagues to receive definite opinions from non-official Indians about the subjects of instruction as well as various other matters connected with education. The Hon'ble the Director of Public Instruction receives suggestions now and then from various sources, and one suggestion is contradictory to another, and if a board is formed he will have an opportunity of knowing that it is a well-considered proposal and that it comes from the Indian people. A reference has been made to the Muhammadan Education Committee that sat a few years ago, and I think that the Muhammadans have reaped great advantage in the matter of education by the recommendations of that Committee, and I am sure that if another board is appointed to advise Government on general education, both the department and Government will derive great advantage from its recommendations. It will be open to the Government to refuse or accept these recommendations, but they will at any rate have the advantage

of knowing what the people think. At this stage it will not be necessary for me to go into the details of the working of the board, and I think that the formation of such a board will receive both the approval of Your Excellency and the consent of the members of this Council."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"My Lord, I have full sympathy for the resolution. The request made by the hon'ble mover is a modest one. He suggests that an advisory board be formed for the purpose to which he has alluded so very lucidly and ably. I am not one of those who have come here to find fault with to-day. I have some experience of the way in which the Education Department works with regard to primary schools. It cannot be denied, Sir, that primary schools are neglected and their management is not satisfactory. The number of boys in the primary schools is daily increasing, but who looks after them? This is a problem which has to be solved. The occasional visits or inspections by the deputy inspector or inspectors are not sufficient for the purpose. There are no managing committees to guide them, and the *guru* who is the guide and really the chief man does his work in a very unsatisfactory manner. In such circumstances, when the question of primary education is before the Council, it demands serious consideration, because much depends upon the way in which Government educate the masses, much depends upon the way in which Government look after the education of the people who are in the lower strata. We have got a university that looks after the interests of the higher class, but there is no committee to look after the lower class, and the hard-worked Director of Public Instruction may be greatly relieved if a board is formed for the purpose. It may be formed in the first instance as an advisory board. I have no confidence in the work of advisory boards in the long run, but it would be some gain hereafter if we start by forming an advisory board to look after the education of boys and girls in primary schools. Now, so far as the way in which the question has been dealt with from time to time, no effective steps have been taken, and that, my Lord, is the complaint of the people of the Presidency. We are talking about primary education, we are discussing big matters, but what effective steps have been taken? So far as the statistics I have got with me are concerned, Your Excellency will see that education has not been spread as one wishes. Therefore it is high time for Your Excellency and Your Excellency's Government to consider this large question. It is a question which cannot be discussed within a very short time, and it is better that we should start with an advisory board and relieve the Director of Public Instruction from his onerous duties."

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI said :—

"My Lord, as regards the principles of the resolution I approve of it. No one can say that he is against it. As a representative of the Muhammadans, I would just like to mention here that our interests, the Muhammadan interests, should be safeguarded, that is all that I want to say. There was an Advisory Board for Muhammadan Education; they have made their recommendations to the Government. What will happen to their recommendations? This new board is not bound to take their recommendations: that means that so much labour is lost. There is vagueness about the composition of the advisory board. We have got here an Assistant Director of Public Instruction for Muhammadan Education; we have got assistant inspectors especially for Muhammadan interests. If the advisory board have the control of the funds, they will have everything in their power. Supposing we want a school or a college where the Muhammadan population preponderates; is there an assurance that we shall have that school or college? I would ask my Hindu friends not to misunderstand me, but I am saying this

because last year in this Council, when only Rs. 100 a month was wanted, my Hindu friends did not vote for it. We want to be sure of our own ground, and if we get an assurance, we will support the resolution."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, I regret that I am unable to accept this resolution on behalf of the Government, not because we do not want or that we are impatient of any advice that we can get from non-official gentlemen in educational matters, but because the method by which it is proposed to offer such advice is not likely to be of any practical benefit. On the contrary, I apprehend that it would lead to much friction and certainly great delay. Before I discuss the resolution itself, might I ask the House to bear with me for a moment when I remind them as to the existing condition of things. We have already in every district, except Darjeeling and the Chittagong Hill Tracts, an education committee, composed of officials and non-officials attached to every District Board, who are supposed to assist the board in the administration of primary and middle schools in the district. As regards high schools, both Government and aided, they are managed by inspectors with the assistance of managing committees in which non-officials are represented; therefore throughout the country, in all the districts, you have primary, middle and high schools managed and supervised with the assistance of local committees consisting of officials and non-officials. When big general questions arise affecting matters of education and affecting the province as a whole, as for example the question of Madrassa reforms, the question of Sanskrit education, the question of the curriculum for the education of Hindu girls, affecting the province as a whole, or large communities, involving matters of principle, they are referred to special and temporary committees of persons who possess expert knowledge or are specially interested in such matters. Such committees, I venture to think, are far more competent to deal with the questions referred to them than any permanent advisory board can ever be. I have described, to begin with, the existing condition of things, in order to show that a large part is taken, and what a large part can be taken, by non-official members of the public in the solution of educational problems and also in the management of educational institutions. What it is that it is proposed to substitute in its place by my hon'ble friend? A central permanent advisory board which he hopes in course of time will develop into an administrative board. I ask, is that a practical way of offering advice to begin with—I will deal with the administrative part later on,—of offering advice to those in the Government whose duty it is to supervise education? This central board sitting in Calcutta will have to deal with thousands of schools, because hon'ble members will remember that in Bengal there are more schools, at least more high schools, than there are in all the other provinces taken together. There are more high schools in one subdivision in the division of Dacca than there are in the whole of the United Provinces, excluding the bigger towns. I mention this in order to show how large the question is, and what the number of schools is that has got to be dealt with. These are the schools which my hon'ble friend thinks can be administered or at any rate advised upon by a body sitting in Calcutta. My learned friend has not attempted to tackle what I feel is a very thorny question—the constitution of this board, and my friends the Hon'ble Maulvi Fazl-ul-Haq and the Hon'ble Mr. Aminur Rahaman and others who have spoken with regard to it have made it sufficiently clear to those who did not know it before, that the moment you begin to decide who the members of it

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are to be in the province where 52 per cent. of the population are Muhammadans, you are at once confronted with the difficulty as to what the proportion should be between Hindus and Muhammadans.

"On the last occasion, when my friend gave notice of this resolution, amendments were proposed on behalf of Muhammadan members of Council, one of which asked that the proportion should be half and half, and another that there should be always a majority of Muhammadans on this board. The moment you begin the practical question of what the constitution of the board should be, you meet with difficulty, and that of course is a serious difficulty. You cannot ignore the Muhammadan influence in what is sometimes called a Muhammadan province. Apart from that—I do not desire to-day to lay great stress on that point, although it is important in all conscience—but apart from that, how many members are you going to have on this central board? You must have the mufassal represented. It follows therefore that, having regard to the large area, there must be a fairly large number of representatives on this permanent body. How often are they going to meet, how are we going to meet the expenses of their travelling to and fro? During what months are they to sit with a Government which is more or less peripatetic? Now, these are practical questions which my friend has not endeavoured to deal with at all. But the moment you come to ask for a board you are met with these difficulties. Therefore, as I say, it is far more beneficial to have committees *ad hoc* when any big questions arise. Committees appointed for the purpose of advice with regard to a particular question or questions are far more likely to be beneficial than this advisory body, which it will be difficult to convene and almost impossible to deal with, and it will certainly be extremely expensive, out of all proportion to the benefit which is likely to be derived. Are we going to have one joint board both for Hindus and Muhammadans? What will happen to the recommendations of the Board of Muhammadan Education with regard to matters on which they have already advised the Government? I feel therefore that it is bound to lead to friction.

"I have endeavoured to deal with the difficulties of the constitution of the board. Hon'ble members who have spoken before me have pointed out that the resolution is vague with regard to what the functions should be. With all respect to my hon'ble friend, I venture to go further and say that the resolution is absolutely silent on the question of the functions to be performed beyond the word 'advise.' Advise on what? Let us take the instances mentioned by my hon'ble friend. The question of curriculum. Is that fixed by the Director of Public Instruction? Certainly not. The text-books, are they fixed by the Director of Public Instruction? Certainly not. The distribution of funds, is that done by the Director of Public Instruction? Whom then are they to advise—this board that he proposes to constitute? It is not as if it is going to put the office of the Director of Public Instruction on commission as it were; it is going to advise the Government on definite points. Now, let us take these three points of curricula, text-books and distribution of funds. For the text-books, the curricula is laid down by the Government and with the advice not only of the Director of Public Instruction, but of all educational officers and on the recommendations of different local boards. With regard to the text-books, there is a Text-book Committee, and all that they can do is to recommend to the local bodies as to which of those books they will adopt, it being open to local bodies to adopt such text-books as they please, subject only to the supervision of the Collector of the district with regard to non-educational matters. So, it is the local bodies who have got the largest voice both in regard to the question of curricula and text-books. With regard to the distribution of grants, the argument seems to have proceeded on the basis as if the Government or their officers were sitting on a chest full of money and refusing to open the lid and bring the money out. Are these the facts? Is it not a fact that the Government are spending over and above what they get out of the allotment of the Government of India and out of Provincial revenues? How are the

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assignments made? With regard to primary schools the Director of Public Instruction does not make the assignment. It is ear-marked every year by the Government of India, so far as primary education is concerned, as to how much is to be spent for this purpose. We have to send up to the Government of India a detailed scheme as to what we propose to do,—as for instance we can spend a lakh of rupees in giving a rupee more a month to teachers in primary schools who are only getting Rs 2-8 now. Even a rupee in that manner means a large sum of money, but unless we go up to the Government of India, and unless they sanction it, we cannot spend it. It is the Government of India who will have to sanction it. We are all anxious to obtain the advice both of members of this House and people outside. It is for them to come and tell us, 'Do not give the rupee to the teachers, but do something else,' but we have got to go up to the Government of India before we can spend a farthing out of the grant that may be made for the purpose of primary education. Now let us take the case of secondary schools. Whatever is given, either out of the Imperial grant or out of Provincial revenues, as grants-in-aid for secondary schools, is distributed not by the Director of Public Instruction but by the inspectors on the spot, and for that purpose they have got to find out the needs of different local schools entering into most delicate negotiations for the purpose of making the money in their hands go as far as it can, and taking care also that the whole of the money given to them for this purpose is spent and not a farthing remains. Therefore, when my hon'ble friend says 'they do not want to spend the money, they are unsympathetic,' one would think that the money went back into the Government coffers. Nothing of the sort, they are spending every farthing of what they have got and they are continually asking for more, and we have not got the money to give them. That is how the case stands with regard to secondary schools. Is the board sitting in Calcutta to determine as to what schools in Jhalakati or Noakhali or somewhere in the wilds of Chittagong are to get how much out of Imperial grants or Provincial revenue? Who is the best advisory body with regard to that? The inspector on the spot or the central body sitting in Calcutta? I think a statement of facts like this ought to be sufficient to show that practically it will not lead to any benefit, but it will cause much delay, and as between different communities, possibly lead to friction. It is for these reasons that I venture to think that it will be inadvisable to have a permanent standing committee or board for the purposes of advising Government.

"Let us follow oftener than now the practice of appointing special temporary committees to deal with particular questions which arise from time to time. As I mentioned, the committee for Hindu girls' education, the committee for Sanskrit education, the committee for Muhammadan education, all these committees have done useful work, and if we want advice on specific matters, that is the best way of getting it.

"One word I should like to say with regard to my hon'ble friend's hope of this advisory body developing later on into an administrative one. Is that a practical idea? Can administration be carried on by the kind of body that he contemplates? It is like asking Parliament to be an administrative body. Parliament legislates, but you cannot make Parliament an administrative body. You cannot expect a large body consisting of two or three hundred members coming from all parts of the country to administer the primary and secondary education of the province. May I also remind my friend of another fact, viz., that he is really proposing to go back now to what it was in the beginning—when education began to develop in this country? As my hon'ble friends know, the history is this. We began somewhere about 1823. There was a general committee of public instruction, consisting of Government officials residing in Calcutta. That is how it began—with a general committee of public instruction. Government had

nothing to do with education then. In 1835 one or two non-official Indians were added. In 1842 educational institutions were for the first time brought under the direct control of Government; but still with a Council of Education with important advisory and administrative functions. It was not till 1854 that under a despatch of the Directors of the East India Company the Department of Public Instruction was constituted as a portion of the machinery of Government in the different provinces. So we began with an advisory body, and it has developed into a strong central department. I venture to think that the line of future development must be that which the Decentralisation Commission has laid down and which has been accepted by the Government of India—that the true line of development must be not in the multiplication of boards and committees at headquarters, but in the evolution of responsible local authorities working under the guidance of a strong Educational Department. That, I submit, is the proper line to follow, and in the meantime, I am sure both individually as members of the Government and collectively as the Government themselves, we shall at all times be willing to welcome and receive such advice as we receive from members of the public, both in this House and outside, official and non-official, in all matters of education. My experience is very short, but I can assure hon'ble members that during this short time that I have been in charge, I have been not only willing but anxious to receive suggestions as to all matters educational in which they desire to have their say.

"I cannot finish without rebutting on behalf of Government some of the unmerited strictures which the Hon'ble Babu Surendra Nath Ray was pleased to pass in regard to inspecting officers in the mufassal. I think Mr. Aminur Rahaman has already dealt with them, but still as a member of Government I am bound to point out that they are unfounded. In the first place, the hon'ble mover disregards the fact that the majority of the inspecting staff are Indians. All district inspectors and sub-inspectors are Indians. It is only the divisional inspectors who are members of the Indian Educational Service. One of them only belongs to the Provincial Educational Service. And so far from it being the case that they are recommending schools to be abolished or funds to be withheld, the Government are flooded with recommendations by these gentlemen for the grant of more money to schools under their supervision. They have nothing to do with disaffiliation of schools. The University have no inspectors of their own and use these inspectors for the purpose, and they make their reports both as regards the staff and buildings, and if the University chooses to consider that they are not sufficient for the purpose of affiliation, I think it hardly fair that those inspectors should be blamed as being unsympathetic. Everybody is agreed that more should be done for the promotion of education of all descriptions, primary, secondary, collegiate and so on, but we have not got the money for it. The financial trouble is the great trouble. We hope that some time or other at any rate, when the financial stringency is over, there will be available more money, with which we shall be able to put into operation some of the many schemes which Mr. Hornell has got ready."

The Hon'ble DR. DEBA PRASAD SARBADHIKARI said :—

"My Lord, as pointed and ungenerous reference has been made to the work of inspectors in connection with University inspections, I would be failing in duty if I were not to give willing testimony to the general excellence of the work. As the Hon'ble Sir S. P. Sinha has told the Council, the University has no inspectors of its own, and we have to deal with a very large number of schools. I think we could not possibly deal with them without the assistance we receive from Government inspectors. Their reports come before us and in that work we are assisted much by the Hon'ble Mr. Hornell. Sometimes inspectors are indiscreet and we have to check them.

Babu Surendra Nath Ray.

It has been said that, in rare instances, inspectors actively assist the schools. But my knowledge is to the contrary, and that many of the schools are ever so much better to-day than they were some years ago, is due to the whole-hearted co-operation of these inspectors. Reference has also been made to the interference with admission of free students by Inspectors on the supposed ground that they do not affect the situation at all. Under University rules indiscriminate freeslips very much affect the situation, and if the number of these students exceeds a certain proportion, the finances of the school are much jeopardised, for our number limit is strict. As regards supposed rapid disappearance of secondary schools, I thought so long that the charge against us was quite the other way and that we did not withdraw recognition from our secondary schools as often as some zealous inspectors desired. The whole idea of the University is to make the schools better with the available materials at the disposal of the University and the public and the Government to nurse them in short and to await better times and when inspectors attempt to start a contrary policy, they are not supported and will not be supported. As regards the merits of the resolution, I am, however, free to say that there is much in it that commends itself to me for obvious reasons, but after Sir S. P. Sinha's reply, I am not prepared to support it as it stands."

The Hon'ble BABU SURENDRA NATH RAY said :—

"MY LORD, I have only a few words to say with reference to this resolution in reply. First with reference to what my Muhammadan friends have said with reference to this resolution, I think if such a board were ever to be constituted, the interests of the Muhammadan community ought to be properly safeguarded, and if it is necessary for the education of the Hindu community to spend money, I shall be the first person to support the Government in giving more money for the education of the Muhammadan community. Probably no man with any sense of responsibility will ever think of opposing Government if Government were to grant larger sums for the education of the Muhammadans. Nor is it my intention to interfere with the present arrangements by which the Muhammadans are getting a substantial amount of the Government grant. That was never my intention when I sent in my resolution for the proposed board. Then it has been said that I am not very definite as regards the questions to be considered by the proposed Board. Though Sir S. P. Sinha has said that they are vague, still he has met my argument and said that they were for the settlement of curricula and text-books, etc. These questions he has touched, and these are the questions which I want to be considered by the proposed Education Board. Then as regards the constitution of the board, if it is necessary that there should be an equal number of Hindu and Muhammadan members, I have no objection to that. Then the hon'ble Member in charge has said that there are already education committees in every district attached to the District Board. What are their functions? A certain amount of money is allotted to the District Board by Government and they advise on that amount, but as a matter of fact large grants are made, both by the Imperial Government and the Provincial Government, and I want that the proposed Education Board should deal with these amounts. The District Boards have got no voice in the allotment of these grants. They do not know what the grants are, and how the amounts are spent. I know that Government spends every pice of what it gets from the Imperial Government. But how is the money spent? Not according to the advice of the public, but it is spent as the Government desires, or rather as the Director of Public Instruction wishes. Then as regards the administrative body, I have said that if this advisory body be found to be a successful body, it may hereafter become an administrative body. By administrative

body I mean that the proposed board may have the same powers over secondary and primary education of the province as the Syndicate of the Calcutta University has over all the colleges attached to the Calcutta University. It is in no other sense that I have used it. These are, my Lord, all the remarks I wish to make."

A division was then taken with the following result :—

Ayes 7.

The Hon'ble Dr. Nilratan Sarkar.
" Dr. Deba Prasad Sarbadhikari, C.I.E.
" Rai Radha Charan Pal Bahadur
" Maulvi Abul Kasem.
" Babu Bhabendra Chandra Ray.
" Rai Mahendra Chandra Mitra Bahadur
" Babu Surendra Nath Ray.

Noes 29.

The Hon'ble Mr. N. D. Beatson Bell, C.S.I., C.I.E.
" Sir Henry Wheeler, K.C.I.E., C.S.I.
" Sir S. P. Sinha.
" Surgeon-General W. R. Edwards, C.B., C.M.G.
" Mr. B. C. Mitra.
" " C. J. Stevenson-Moore, C.V.O.
" " J. H. Kerr, C.S.I., C.I.E.
" " J. G. Cumming, C.S.I., C.I.E.
" " J. Donald.
" " F. A. A. Cowley.
" " C. H. Bompas.
" " W. W. Hornell.
" " S. W. Goode.
" " E. B. H. Panton
" Rai Priya Nath Mukharji Bahadur, I.S.O.
" Sir Rajendra Nath Mookerjee, K.C.I.E.
" Mr. J. Mackenzie.
" " W. H. H. Arden-Wood, C.I.E.
" " Aminur Rahman.
" Raja Hrishikesh Laha, C.I.E.
" Mr. R. Glen.
" " F. W. Carter, C.I.E.
" Sir A. Birkmyre, Kt.
" Mr. E. B. Eden
" " H. R. A. Irwin.
" " M. Ashraf Ali Khan Chaudhuri.
" " Altaf Ali.
" Rai Sri Nath Ray Bahadur.
" Mr. K. B. Dutt

The following members were absent :—

The Hon'ble Maharajadhiraja Bahadur of Burdwan.
" Mr. E. A. Martin.
The Hon'ble Babu Mahendra Nath Ray, C.I.E.
" " Ambika Charan Mazumdar.

The following members abstained from voting :—

The Hon'ble Nawab Bahadur of Murshidabad
" Mr. Provash Chunder Mitter.
" Kumar Shib Shekhareswar Ray.
" Babu Brojendra Kishor Ray Chaudhuri.
" Mr. Arun Chandra Singha.
The Hon'ble Rai Debender Chunder Ghose Bahadur.
" Dr. Abdulla-al-Mamun Suhrawardy
" Maulvi A. K. Fazl-ul Haq.
" Babu Akhil Chandra Datta.
" " Kishori Mohan Chaudhuri.

The ayes being 7 and the noes 29, the motion was lost.

LIST OF BUSINESS—ITEM No. 5.

The following resolution stood in the name of the Hon'ble Maulvi Abul Kasem :—

"This Council recommends to the Governor in Council that Government do take into consideration the amendment of the Bengal Municipal Act, 1884 (Ben. Act III of 1884), and of the Bengal Local Self-Government Act, 1885 (Ben. Act III of 1885), with a view to increasing the proportion of elected members in Municipalities, District and Local Boards, respectively, and that such changes be made in the election rules as may be necessary to provide for an adequate and effective representation of Muhammadans on those bodies."

Maulvi Abul Kasem.

He said :—

"In view of the statement made by the Hon'ble Member in charge at the last meeting of the Council that the question of increasing the proportion of elected members in Municipalities, District and Local Boards is under the consideration of the Government, as also the question of the effective representation of Muhammadans on those bodies, I do not think it necessary to move this resolution. I therefore withdraw it."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 6

The Hon'ble MAULVI ABUL KASEM moved the following resolution :—

"This Council recommends to the Governor in Council that necessary action be taken with a view to allowing the members of the Provincial Judicial Service privilege leave on full pay as is granted to the members of the Provincial Executive Service."

He said :—

"My Lord, resolutions have been moved in this Council from time to time which ask for some special concession for the members of the Provincial Judicial Service. They received sympathetic attention from the hon'ble members in charge, but we are always told that the matter will be taken into consideration when we consider the report of the Public Services Commission. In this resolution I ask for only a small concession. The members of the Judicial Service are classed as officers who enjoy vacation, and therefore are not entitled to privilege leave on full pay as enjoyed by the members of the Provincial Civil Service and other services. In this connection I beg to submit that the members of the Judicial Service have got to do very arduous work from 10 to 51, recording evidence in civil cases, without any recreation, and at night and in the morning they have to write judgments in regard to these cases, and naturally they break down in health, but under the present rules they cannot avail themselves of privilege leave because they cannot get it on full pay. In those hard days it is very difficult for a man of limited means to forego a portion of his income and thus these members of the Judicial Service go on without taking leave, until they are compelled by sickness and cannot rise from their beds. Naturally they suffer in health and also in their capacity for good and useful work. It is said that they enjoy a vacation. They only get about 30 or 31 days' leave in the year. The members of the Provincial Executive Service also get 17 days and besides that the members of that service in the mufassal get 12 days for the last Saturdays. Besides that the work of the Deputy Magistrates is not of a sedentary character as that of the Munsifs. I think it would be bare justice to the latter to grant them privilege leave on full pay and thus allow them to recoup their health, and to make themselves more fit to bear the strain of the arduous nature of the work they have got to do. They do brain work of a far superior character than that required of a Deputy Magistrate who only goes touring in the interior of the district, and whose work is not of such a serious character as that of writing judgments involving serious technical points of law and procedure, and therefore I think Your Excellency's Government should consider this matter even before the report of the Public Services Commission is taken into consideration. I am afraid the case of the Judicial officers was not pressed very much before the members of the Public Services Commission, at any rate the Commissioners have not dealt with that branch of the service with that care and concern which it certainly deserved. There is no harm in approving this resolution which would lead us to hope that this matter will be duly considered and that there is a prospect of these officers getting leave. At one time it was suggested that they should forego their vacation, and even if that

is done, they would prefer it than get leave for 13 days more and call it a vacation. With these words I commend the resolution to the House."

The Hon'ble SIR HENRY WHEELER said :—

"My Lord, the Hon'ble Member has raised a point which concerns the interests of a deserving body of public servants, but with every wish to give it due consideration we must be careful that, in our desire to be generous, we are not being extravagant.

In the first place, the rules involved in this matter are not those of the Local Government, but of the Civil Service Regulations, which means that with the best will to help we could not do more than submit the case to the Government of India, who in their turn will judge it on considerations not only touching Bengal but as affecting the whole of India while even should they accept the case as established, they can only represent it to the Secretary of State by whose orders it will be decided.

The Hon'ble Member has only referred cursorily to the present position, and I may perhaps explain in further detail the facts regarding those officers who enjoy vacations; these are subordinate judicial officers, Educational officers, and some officers of the High Court. In consideration of the vacation which is an incident of their service they are not ordinarily allowed privilege leave on full pay, but in case of urgent necessity they can get privilege leave on half pay. If, however, for any reason they are unable to make use of the vacation, they may take privilege leave on the usual terms, that is to say, on full pay. That is the actual position, and in justification of it—it is a matter of long standing—it is perhaps simplest to read the reasons which our predecessors gave when they framed these rules in 1880. There have been minor modifications in the rules since, but in their main features they remain the same. It was then said that—

'Privilege leave is granted as an occasional relaxation which officers who enjoy regular departmental vacations do not require. At the same time if privilege leave were not allowed at all to such officers they would be, in some respects, at a disadvantage as compared with other officers. The effect of the changes now ordered will be no doubt to some extent to deprive officers of the enjoyment of both vacation and privilege leave at the same time. But the privileges of an officer who enjoys vacations will, it is believed, be fairly comparable with those of other officers. He will not, like them, have any option as to the season at which he may take a holiday, but to make up for this, he will usually enjoy somewhat longer holidays than other officers.'

The gist of that argument is that the rules represent a fair working compromise as to the amount of leave which could properly be allowed to subordinate judicial officers in comparison with those in other services. I admit that the compromise is open to criticism in some degree, and since 1880, when the rules were first framed, they have been re-examined on no less than four occasions, once in 1898-99, in 1904, in 1906, and finally in 1914, when various discussions took place as to feasible amendments. The amendment which the Hon'ble Member advocates has been put forward among others, but as against it, I can give him a good authority, namely, that of the Calcutta High Court, which throughout has urged the claims of these officers, with whom, of course, the Hon'ble Judges are closely concerned.

In their latest letter on the subject the High Court wrote, saying, 'the Judges are not prepared to identify themselves with the demand that the full term of 30 days should be on full pay, since they recognise that this, together with the vacation, would place the munsiff in altogether too good a position as compared with the Deputy Collector and indeed with the District Judge.'

I think, Sir, that this may be accepted as an authoritative pronouncement by those who are in a position to gauge the merits of the matter. Other

alternatives that have been suggested are that one month's leave in two years should be allowed, or again that 15 days should be given every year, the general ideas underlying the number 15 being that out of the 30 days of the vacation about 14 or 15 days are enjoyed by all officers, and therefore judicial officers really only score by the vacation to the extent of 15 days.

However, although these solutions have been represented in various quarters we have not hitherto been successful in coming to an agreement about them. The matter has been judged in other places on considerations which are rather wider than provincial arguments, and it has been thought that, taking the conditions of the service as a whole, the present rules are not inequitable and may be allowed to continue.

So much for past history; as regards the future, although the Hon'ble Member seems to dislike the idea of dealing with the matter in connection with the Public Services Commission, it is obvious that that report will bring under review the conditions of most services and incidentally of the subordinate judicial service. We shall, therefore, take up this point up again along with other points affecting the service, and see whether we can get any modification of the rules on slightly more liberal lines. That is the only hope that I can give to the Hon'ble Member, but as regards his particular solution, I can hold out little expectation of its acceptance. Otherwise we will do our best to see to what extent the wishes of these Government servants can be met."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEMS NOS. 7 AND 8.

The discussion of these items was postponed to the end of the business on the Agenda.

LIST OF BUSINESS—ITEM NO. 9.

The following resolution stood in the name of the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

"This Council recommends to the Governor in Council that steps be taken to introduce a system of regular medical inspection of students of schools and colleges; and that a committee of officials and non-officials be appointed to suggest the lines on which such system should work."

He said:—

"In view of the present financial condition, I beg to withdraw this resolution."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEMS NOS. 10 AND 11.

The Hon'ble Mr. Provash Chunder Mitter moved the following resolution:—

"This Council recommends to the Governor in Council that a mixed Committee of officials, and non-officials be appointed for the purpose of framing definite proposals for making a beginning towards the introduction of free and compulsory elementary education throughout the Presidency and that the said Committee be requested to report *inter alia* with special reference to the following points:—

(*a*) whether the school-going age should be fixed between the years 6 to 10;

(*b*) what would be the total cost of providing such education ultimately for the whole of the Presidency and how such cost can be met;

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(*c*) what would be the total cost of providing such education for the areas within the Presidency which fulfil the following conditions, namely :—

(*i*) density of population more than 1,000 to the square mile ;

(*ii*) literacy of at least one-third of the population ; and how such cost can be met for such areas ;

(*d*) whether powers should be conferred upon self-governing local bodies (Municipalities, District Boards and Village Union Committees) to introduce at their option and with the sanction of the Government such education within their jurisdiction ; and

(*e*) whether the Government should introduce a Bill for obtaining the necessary powers, or whether such Bill should be introduced as a private Bill."

He said :—

"My Lord, the Government has laid it down as their policy 'that illiteracy must be broken down and that primary education has, in the present circumstances of India, a predominant claim upon the public funds.' This policy represents the accepted policy of the Government of India and is no longer open to discussion. Therefore, I may take it that it is acceptable to this Government that illiteracy must be broken down and that primary education should have a predominant claim upon the public funds. On the other hand, the popular demand has been that primary education must be made free and compulsory. To this Government has laid down two objections—one financial, and the other administrative, the chief objection on administrative grounds being, so far as I have been able to follow, the apprehension that the measure will be unpopular. Therefore, on the general aspects of this question we have to bear in mind the financial and administrative ground.

As regards the financial ground, I have suggested a committee, because it is only by an investigation that the question of finance can best be dealt with. When the Government agrees on principle, that illiteracy must be broken down and that primary education should have a predominant claim upon public funds, the difference between the popular demand so far as the question of finance is concerned and the Government ideal is not very great. So, if there be co-operation between the popular representatives and the Government in this matter there should be a joint investigation, and in that hope I have asked for a committee. I fully appreciate that a committee is not necessarily the only means of investigation. I am keen on the point about an investigation and an investigation is what I mainly want.

Now, I propose to deal very shortly with the financial question involved in this matter. In order to save time, I desire with your Excellency's permission, to circulate certain statements* to Hon'ble Members of this Council. They will find from table 3 of the statement that in our province of Bengal out of the total sum of 37 lakhs and odd spent on primary education, only 2 lakhs and 21 thousand is found by Government, the balance of 34 lakhs and odd being found either by the District Board or by fees paid by the pupils or from private funds. If Hon'ble Members will kindly compare the statistics in Bengal with those of Bombay and Madras they will find that out of the total sum of 54 lakhs and odd spent on primary education in Bombay, a sum of 30 lakhs is paid from provincial revenues : in Madras out of a total sum of 34 lakhs and odd spent on primary education, provincial revenues provide only 10 lakhs and odd. Further in Bengal 17 lakhs and odd are paid from fees, whereas in Bombay and Madras only 4 lakhs and odd are so paid. These figures indicate that Bengal has not

* Not printed in these Proceedings.

been fairly treated. I have no complaint to make with the Government of Bengal, because I know this contribution depends upon the Government of India. I dare say if the relative expenditure of the different Governments are duly brought forward, we may well expect a change for the better, especially as the Government has laid down that primary education has a predominant claim upon the public funds. There is another aspect of the question with which I should like to deal. In the Presidency of Bombay, a private Bill has been introduced and in that Bill power has been reserved to introduce compulsory primary education within municipal areas. It may be quite possible for the far more prosperous mofussil municipalities of the Bombay Presidency with their numerous manufacturing towns, with their large octroi revenue, with the large grant of 17·1 per cent. from Government towards municipal expenses and also with the large grant of Rs. 30 lakhs and odd from Provincial funds for Primary education, to have compulsory primary education in municipal areas. But look at the general conditions of the municipalities of Bengal. As regards population, if Hon'ble Members will refer to table 4, they will find that in the Presidency of Bombay there are 4 municipalities which are classed under class I, that is to say, the population of which is more than a lakh and the highest population is that of Ahmedabad with 216,777 and the lowest of this class is Surat with 114,000. Of this class in Bengal we have only the town of Dacca with a population of 108,551. I have advisedly left out Howrah as the conditions there are the same as in the presidency town of Calcutta. In Bombay there are 4 municipalities which are classed under class II with a population of more than 50,000 and less than one lakh. In Bengal practically there is no municipality with a population of more than 50,000. There are only two municipalities with a population of 50,000, one, Maniktola, which I have not included, because the conditions there are the same as in the presidency town of Calcutta; and the other, Bhatpara, which is a mill municipality, the conditions of which are quite different from those in other mofussil municipalities in Bengal.

If we want to solve the question of primary education merely by the imposition of an additional cess in municipal areas it is not likely to succeed. The chief municipalities are the district towns, and we all know what they are. They merely mean a collection of houses for residence of a number of officers and pleaders and perhaps a few houses of zaminders with no manufacturing industries but with only agricultural fields surrounding these towns. As we all know, nearly all our mofussil municipalities are poor; so the analogy of municipalities in Bombay is hardly fair to be applied to the municipalities in our province. On the other hand I can well claim for Bengal that out of 37 lakhs which are now being spent for primary education, Bengal has shown a good deal of self-help. She has been spending over 31 lakhs and as compared with other provinces if she gets the same assistance as the other provinces are getting then if compulsory education cannot be introduced throughout the whole Province, it is quite possible that it may be introduced into the more populated portions of the province. If Hon'ble Members will turn to the second table, they will find certain calculations. I admit that these calculations have been prepared merely as a basis for discussion and may not be accurate. Hon'ble Members will find from the calculation what will be the probable cost if we take up such towns and villages where the population is more than 1,000. The total population of such towns and villages is 17 millions in all out of the total population of Bengal which is 45 millions. Out of this 17 millions, the percentage of population of male children between the ages of 5 and 10 amount to 174,000 odd. Now the question has got to be discussed as to what should be the course of primary education should it be 3, 4 or 5 years. There are different systems prevailing in different parts of the world. As compulsory primary education has not been introduced into any British province in India, it is a question which requires very careful consideration, and that is an additional reason why I ask for an enquiry. I

have only for purposes of calculation and for no other purpose suggested a 3-year's course, and on that basis I find that the total number of pupils to be educated will be 6,44,492. We already educate about 11 lakhs out of 45 millions, that is to say, in order to introduce compulsory primary education for areas with a population of more than one-third literates the total we require to educate will be 13 lakhs and odd. These 11 lakhs we are already educating do not all come from places with a population of 1,000 and one-third literacy. If we work it out, we find that 17 out of 45 millions give 4 lakhs and odd for the areas so populated. I have taken the statistics only for males. Another point for inquiry will be whether we should include female children Taking these figures for males only I find that we shall have to educate 13 lakhs in place of 11 lakhs we are now educating, or in other words, in addition to the sum of 37 lakhs, we shall have to spend a sum of 45 lakhs which means an addition of 9 lakhs. The question arises where is the money to come from? I have no doubt that there is no chance of any money coming until the war is over and until better times return. I would remind Hon'ble Members that the Royal benefaction for popular education is in our hands and it amounts to 3,70,000. There is a further recurring grant on account of the Royal benefaction of Rs. 17,38,000 for education generally. So that we have Rs. 3,70,000 earmarked for this purpose and out of the 9 lakhs which we want if we deduct this sum of Rs. 3,07,000 so ear-marked, their remains a balance of 5 lakhs and 30 thousand, and the balance of Rs. 4,30,000, I submit to the Council, ought not to be difficult to be found from the said 17,38,000, which is no doubt not meant specially for primary education but meant for education generally. I do not desire to tire the patience of the Council at this hour by going into further details, but I would like to submit generally that the question is of very great importance and its importance is also admitted by Government. I do not ask in my resolution that the Government should accept the principle of free and compulsory primary education all at once; all that I ask for is an inquiry and I beg to submit that the inquiry will not be complete unless it is directed to the various heads that I have submitted in the resolution. Neither the Government nor the people will lose anything by this inquiry, on the other hand it will clear the ground for action. Even if it is decided that the Government cannot take up popular education in its own hands? I submit the Government should not refuse an inquiry. With these few words I commend my resolution to the acceptance of the Council."

The Hon'ble MR. K. B. DUTT moved by way of amendment that, at the end of the resolution (item No. 10), moved by the Hon'ble MR. PROVASH CHUNDER MITTER, the following be added, namely,

"and

that the said reports be submitted on or before the first week of February, 1918."

He said :—

"In case the original resolution is not accepted by Council, then of course the question of the amendment does not arise at all."

The Hon'ble MR. P. C. MITTER said :—

"With Your Lordship's permission, I beg to say that if the question of an amendment arises, I have no objection to accept it."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, it is because I am in hope that my hon'ble friend will be able to accept my assurance that I speak before any other member has spoken on this resolution. My hon'ble friend has himself said that the Government have laid down that it must be their policy to strike down illiteracy. My hon'ble friend further admitted that so far as finances permit, we do foster primary education throughout the country. All the same, it is unfortunately the fact that primary education has not been developed nearly as much as it ought to be, and that the Government and the people are equally

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anxious that in the near future, development must proceed at such a pace as to bring within view the day when there will be little or no illiteracy in this country. It is necessary for that purpose that we should know the position in which we are, that is to say, to have an inquiry of the kind that my hon'ble friend has suggested, so that schemes may be framed and policies laid down by which all our desires may be attained. I say therefore at once that the Government are in favour of an inquiry, an inquiry, *e.g.*, as to how many schools there are, how many more there should be in each district or subdivision, or union, and the kind of buildings there ought to be, how much money is being spent now, how much more ought to be spent, whether gradually or at once, how much on buildings, and how much on the actual work of teaching, and so forth. For this purpose many figures are already available, but they are neither full nor complete; therefore we accept the principle that there should be a survey and inquiry, a survey of the whole educational field as regards primary education. How is that survey to be conducted? The Hon'ble Mr. Mitter suggests a committee. I commend to the consideration of the House whether a committee is likely to be the best agency. There are schools in the most inaccessible parts of the province, and you will have to find out from each district, subdivision, thana and union, as to what provisions there should be, what the cost is likely to be according to locality, what pay should be given to teachers. It is impossible to my mind that such a survey as that should be held by means of a committee, however much the committee may be anxious to make those inquiries. Government therefore propose that a survey for the purpose and of the kind that I have mentioned should be held forthwith and concluded as soon as possible, so that both the Government and the people may know the exact position with regard to primary education. What action should be taken when the survey is made and the report is drawn up, I will not venture to prophesy now. It will be for the Government to consider what steps ought to be taken and what steps it can take according to its financial position. It will be equally open to Hon'ble Members to suggest by means of resolutions or otherwise what course Government ought to take after that report has been laid on the table for their information. I cannot say anything more than that. The object which my friend has in view is that after such inquiries have been made, it will be for consideration as to how far primary education can be made free, how far it can be made compulsory, and whether it can be made free. I can promise, however, that the survey will be made by an experienced officer, and though he cannot go to all those places, he will check and supervise the work in the locality done by district inspectors and the actual staff on the spot. I have every reason to hope that this survey will be very useful. That is all I can assure my hon'ble friends. There is, however, one matter. There is an obvious error and it is an error so against Government that although it is not very material or relevant at this stage, I should like to point it out. I think my hon'ble friend said that in 1915-16—out of 37 lakhs now spent on primary education only 2,21,000 were found by the Government. I do not know where he gets his figures from, but the figures which I have before me show that out of 37,40,000 odd, the total amount expended on primary schools for boys in 1915-16 was 16,38,523 coming from public funds, such public funds consisting of Government grants, whether Imperial or Provincial, as well as Municipal and District Boards, which of course are also public funds. To class them under any other head would be incorrect. Public funds therefore supply about 16 out of 37 lakhs and not merely 2,21,000—the smaller sum which my hon'ble friend has suggested. It is of course immaterial now to go into these figures which may or may not be correct, nor would it be profitable to institute comparisons with other provinces as the circumstances are different. But I know some of my hon'ble friends present have often, within the short time that I have had to do with the Education Department, been asking for money for collegiate and university education. Government has not got the money for both certainly. They not only asked for it, but sometimes they got it. You cannot complain, if you have got the money for

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collegiate education, that you did not get more for primary education. But I again venture to say that these are matters which are hardly relevant having regard to the enquiry which I propose to make on behalf of Government."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"I have listened with considerable attention to the reply of the Hon'ble Member in charge and I gratefully acknowledge the sympathetic way in which he has received this question. I understand from his observations that the Government are prepared to undertake an inquiry into the matter at once, perhaps on the lines indicated in the motion of my Hon'ble friend, but my Lord, I am not sure when the inquiry is likely to be finished. I speak from a little personal experience that we had in Calcutta. For the last four or five years the Corporation of Calcutta have been urging upon the attention of the Government the need of devising some means for promoting primary education in Calcutta on a satisfactory basis. Mr. K. C. De and after him Mr. J. N. Roy were deputed to inspect the primary schools for boys and girls in Calcutta. They submitted a report which was forwarded to the Corporation of Calcutta for their views and also to ascertain how far they were willing to co-operate with Government in this matter. About May last year the Corporation submitted their reply to Government on the subject. Since then, I understand the matter is still being inquired into. I do not know when that inquiry will be finished. Of course we fully acknowledge that both the Hon'ble Member in charge of Education and the Director of Public Instruction are anxious to promote primary education not only in Calcutta but throughout the province, but my Lord, not being in the confidence of Government not only myself but many people in Calcutta are wondering how long it will take to finish the inquiry. Therefore as matters at present stand the condition of the primary schools in Calcutta is not only in a deplorable condition, but I may say in a condition which should not be tolerated even for a day. If our Hon'ble colleagues, Mr. Hornell and Sir S. P. Sinha, would be pleased to visit some of the *pathsalas* in Calcutta, in company not with any Municipal Commissioner, but with the Chairman of the Corporation, in some of the *bustees* in my ward, they will see at once that no further time should be lost in finishing the inquiry and making some recommendations. Therefore I think we are entitled to know how long it will take to finish this inquiry. The resolution as far as I can understand is for the purpose of framing definite proposals for making a beginning towards the introduction of free and compulsory education throughout the Presidency. As appears from the resolution, this committee is wanted to make definite proposals on the basis of the result of an inquiry that will be made. It is being freely declared not only here in India but also in England that the British Government wants the assistance of the people of this country in the administration of their own country. My Lord, in this matter the people are anxious to be associated with the Government. I do not mean to say that the committee if appointed will go from door to door, from village to village, and make a tabular statement. That will no doubt be done by a special officer who may be deputed by Government in connection with this matter, but when he will have finished his work the committee will submit its proposals to Government. I do not think that this will commit the Government in any way. The Hon'ble Sir S. P. Sinha said he wanted advice from any person desirous of offering the same. But why should he want an isolated piece of advice from a single person? Why not have a collection of advice from a number of gentlemen who are interested in the promotion of primary education, and who want to submit their views and the views of their community in a collective form? What I say is this—I do not think that this sort of advice should be refused by Government. Advice so given is much more weighty and well considered than isolated advice from private individuals. With these words, my Lord, I support the resolution."

Mr. P. C. Mitter ; Sir S. P. Sinha ; President ;
Rai Radha Charan Pal Bahadur.

The Hon'ble MR. P. C. MITTER said :—

"My Lord, I should like to ask the Hon'ble Sir S. P. Sinha as to the time he expects the inquiry to last and also whether it would be open to me to move that part of the resolution which deals with the appointment of a committee after we get the report. May I explain what my object is? After we get the report, we expect to get much valuable material, and we want to consider our position then, and we also want it to be open for us to move for a committee if we think that a committee will be desirable, and we want an assurance from the Government that it may not be said that the question having been discussed, the matter could not be brought up within a year."

The Hon'ble SIR S. P. SINHA said :—

"With regard to the time which that inquiry will take, I cannot give any definite assurance, but I have already stated that we will forthwith cause an inquiry to be undertaken, and I expect that with proper expedition the inquiry should be finished within four or five months. I cannot say more than that nor can I give any assurance to that effect.

As regards the second point as to moving any resolution on the report which will be made, it is controlled by the rules which prevent the same resolution being moved within the year ; it is not for me to give any assurance; the matter is for the decision of His Excellency, but I have no doubt that it will receive his favourable consideration inasmuch as the resolution which will be moved hereafter will be in my opinion different from what it is now. But this is a matter as to which it is not within my power to give an assurance."

The PRESIDENT said :—

"On that point I do not think in the first place that the resolution which the Hon'ble Member would desire to move after a survey has been made would be precluded by the rules. Of course, it would not be exactly the same resolution that a committee be appointed to report, etc., etc., but he would move a resolution that a committee be appointed to consider the report made by a certain department or officer—and in any case if the Hon'ble Member desires to withdraw this motion now, I will give him an undertaking that I will, under the powers that are conferred upon me, admit, within any less period than one year, a motion to that effect."

The Hon'ble MR. P. C. MITTER said :—

"After the assurance given by the Hon'ble Member in charge and by Your Excellency, I beg leave to withdraw my resolution".

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 12.

The Hon'ble MR. P. C. MITTER with the permission of the President, withdrew the following resolution :—

This Council recommends to the Governor in Council that a statement be laid on the table of the Council, at the first cold weather meeting, showing how far the Budget for the year 1917-18 has been adhered to or departed from during the first six months of the year, giving the reasons for such departure, if any.

LIST OF BUSINESS—ITEM No. 13.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR moved the following resolution :—

This Council recommends to the Governor in Council that a committee, consisting of officials and non-officials, be appointed to suggest measures for preventing the adulteration of food and the sale of adulterated food-stuffs in Bengal.

Maulvi A. K. Fazl-ul-Haq : President.

He said :—

"My Lord, the Ghee Bill has been passed, but it concerns only Calcutta but we expect a wider legislation, and my motion extends outside Calcutta. I am not aware however what steps are being taken by Goverment to prevent the adulteration of food-stufis in Bengal, and whether any legislative measure is contemplated or is expected within a measurable distance of time to be placed before the Legislative Council. I shall be very glad to have a statement from the Hon'ble Member in charge."

The Hon'ble SIR S. P. SINHA said :—

"I told the house this morning that a Bill for the prevention of adulteration of food-stuffs in mufassal for the whole province is already in preparation, is in fact practically ready, and I hope to be able to send it up to the Government of India for sanction within the next month or so."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEMS Nos. 7 and 8.

The consideration of items Nos. 7 and 8 was then taken up. The items were as follows :—

The Hon'ble MAULVI A. K. FAZL-UL-HAQ to move the following resolution :—

This Council recommends to the Governor in Council that early steps be taken for the establishment of an Agricultural College for Bengal, and that the said College be located at Dacca.

The Hon'ble BABU SURENDRA NATH RAY to move by way of amendment that in the resolution (Item No. 7) to be moved by the Hon'ble Maulvi A. K. Fazl-ul-Haq, for the words "and that the said College be located at Dacca", the following be substituted, namely :—

"and that a committee be formed of official and non-official members principally of experts, to select a suitable site for the location of the College".

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, the result of having taken part in a full day's debate has given me a little headache, and as far as I can understand from the talk I had with some of my other friends on the other side of the House, I do not think there is any prospect of any active support from them in case this resolution is opposed by Government, so I do not wish to take up the time of the Council by moving it. With Your Excellency's permission I beg to withdraw it."

The resolution, with its amendment, were then, by leave of the President withdrawn.

The President's address.

The PRESIDENT said :—

Hon'ble Members will be aware no doubt that a question has been asked with regard to the legislation which Government are prepared to undertake in the near future, and I promised in reply to that question to make a statement at the conclusion of our proceedings to-day. It may be remembered that when I was bringing the proceedings of this Council to a conclusion at the end of the last cold weather session on the 3rd April, I expressed a hope that before we met again for another cold weather session I should be able to invite Hon'ble Members to co-operate with the Government in undertaking useful legislation. I am not yet in a position to say that the hopes which I

then expressed are on the point of being completely realised, but I can at least say that they are on the way towards realisation. There are many matters of varying importance with which we are very anxious to deal, and though I am not in a position at this moment to give you a cut and dried programme of legislation I can indicate to you the matters with which we expect to be able to deal in the near future. And I can give you some idea of the prospects which there are of our being able to do so. We have already introduced and have to-day referred to a Select Committee the Bengal Tenancy (Amendment) Bill. It is of course a small measure which deals with one aspect only, and that a restricted aspect, of the whole question of Tenancy Law in this Presidency. Of other Bills which we hope to be able to introduce in the near future, the Public Demands Recovery (Amendment) Bill is now ready and will be introduced, I hope, at the first cold weather meeting of the Council. The Legislative Secretary reminds me that though the sanction of the Government of India has been received to that measure the sanction of the Secretary of State has not yet been received. I have no reason to doubt however that it will be received in time to introduce the Bill at the first meeting of the cold weather session. In itself the Bill is a small Bill, but I hope that it may prove to be a useful measure, for it is designed entirely in the interests of the co-operative movement.

Next come two Bills which are practically ready, but certain details of which are still under discussion between the Government of India and ourselves. They are the Calcutta Hackney Carriage Bill and the Bengal Disqualification Bill. The latter is a small Bill which has for its object the disqualification, with certain exceptions, of persons who are not British subjects from voting for or sitting upon local bodies.

Next, I would like to mention two Bills, the drafting of which has been completed so far as the Bengal Government are concerned and which have been submitted by us to the Government of India for their approval. These include the Darjeeling Hill-sides and Rivers Conservation Bill, the Serampore College Bill, the Calcutta Municipal Bill, and the Village Self-Government Bill. I need hardly say that the last two measures are measures of great importance which are likely to rouse wide interest. Last but not least is the Adulteration of Food Bill to which the Hon'ble Sir S. P. Sinha has already referred, a Bill upon which we are still at work, but which we hope to be able to submit to the Government of India at a very early date.

Hon'ble Members may perhaps think that this is a somewhat formidable programme and they may perhaps entertain some doubts as to whether a Bill like the Calcutta Municipal Bill comes within the category of non-controversial Bills, to the consideration of which I suppose we are still more or less restricted by the political truce. Well, the Government, so far as that goes, are in the hands of the Legislative Council. If the Calcutta Municipal Bill were to prove to be a highly controversial measure, Government would be prepared to reconsider their attitude in regard to it, that is to say, if they find that it is a measure which is likely to excite great controversy, they will be prepared to postpone the further consideration or discussion of it, at any rate, so long as the political truce is in existence. But I have some hopes that it will not prove to be an unduly controversial measure; for when I first reached Calcutta the deputation from the Corporation of Calcutta which waited upon me expressed the hope that the Bill would receive my early attention and they went on to say that this is a measure which will give the city a larger measure of local self-government 'and though some difference of opinion may perhaps arise when the Bill is debated, yet we see no reason for apprehending any failure to reach an amicable settlement of the questions that will be discussed;' and in reply to that representation which was made to me I said that I was well aware of the importance which the Corporation attached to the passage of the Calcutta Municipal Bill and that I was prepared to give the passage of it my most careful consideration. At the same time, I noted with satisfaction that while they anticipated some difference of opinion they at the same time saw no reason to doubt that an amicable settlement of the question would be reached.

President.

In other words, I practically gave the Corporation a promise that if their anticipation that the Bill would not be found to be of a highly controversial nature was fulfilled, then I and my Government would do all that lay in our power to press on with the matter. That, gentlemen, is the position so far as the Bengal Government are concerned. In addition to these Government Bills, there are two private members' Bills of which notice has been given, one dealing with Juvenile Smoking and one dealing with the question of free and compulsory primary education. These are Bills of which notice has been given by private members and which will no doubt in due course come before the Council for discussion.

All I have to do in conclusion is to draw the attention of the Hon'ble Members to a notice which appears at the end of the agenda paper from which they will see that they are asked to remain in their places after the Council closes to-day, for the purpose of electing the Finance Committee. That election will take place forthwith."

ADJOURNMENT.

The Council was then adjourned *sine die*.

C. TINDALL,

Secretary to the Government of Bengal
and Secretary to the Bengal Legislative Council.

DARJEELING,
The 2nd October, 1917.

B. S. Press—9-11-1917—17567—350—J. L. C.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Tuesday, the 20th November 1917, at 11 A.M.

Present:

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble SIR SATYENDRA PRASANNA SINHA, KT.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SURGEON-GENERAL W. R. EDWARDS, V.B., C.M.G.

The Hon'ble MR. T. C. P. GIBBONS, K.C.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. J. DONALD.

The Hon'ble MR. L. S. S. O'MALLEY.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. C. H. BOMPAS.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. E. B. H. PANTON.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR, I.S.O.

The Hon'ble DR. NILRATAN SARKAR.

The Hon'ble MR. J. MACKENZIE.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. R. GLEN.

The Hon'ble MR. PROVASH CHUNDER MITTER.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble KUMAR SHIB SHEKHAREESWAR RAY.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI, C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. F. W. CARTER, C.I.E.

The Hon'ble SIR A. BIRKMYRE, KT.

The Hon'ble MR. E. B. EDEN.

The Hon'ble MR. E. A. MARTIN.

The Hon'ble MR. H. R. A. IRWIN.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU MAHENDRA NATH RAY, C.I.E.

The Hon'ble MR. K. B. DUTT.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

LIST OF BUSINESS—ITEM No. I.

OATH OR AFFIRMATION OF ALLEGIANCE.

The Hon'ble Mr. Gibbons, the Hon'ble Mr. O'Malley, the Hon'ble Mr. Payne, the Hon'ble Mr. Wordsworth and the Hon'ble Khan Sahib Aman Ali made an oath or affirmation of their allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.

The following Questions which had been starred were put and answered :—

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :

The case of a détenu

* 1. (*a*) Has the attention of the Government been drawn to the decision of the Special Tribunal in the case of Ambica Charan Kar which was tried at Malda on the 2nd October last ?

(*b*) Is it a fact that the détenu Ambica Charan Kar was ordered not to leave his residence after 6 P.M., although there was no latrine within the premises in which he was detained ?

(*c*) Is it a fact that the détenu Ambica Charan Kar was prosecuted for going out of his premises after 6 P.M. to answer a call of nature and that the Special Tribunal accepted his plea and acquitted him ?

(*d*) If the facts are as stated above, will the Government be pleased to state what action they have taken or are taking in the matter ?

Answer by the Hon'ble MR. DONALD in the absence of the Hon'ble MR. KERR :—

" (*a*) Government have seen the judgment of the Special Tribunal in the case referred to.

(*b*) The order of domicile under rule 3 of the Defence of India (Consolidation) Rules prohibits an interned person from leaving the premises in which he is interned between 6 P.M. and 6 A.M.

(*c*) Ambica Charan Kar was prosecuted for a breach of the rule referred to above; before the Special Tribunal he pleaded that he had gone to answer a call of nature and this plea was accepted by the Tribunal

(*d*) Government do not propose to take any action in the matter "

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :

Office staff of the Director of Public Instruction.

* 2. (*a*) Is it a fact that a separate cadre has been formed for ministerial officers in the Office of the Director of Public Instruction, Bengal, and that all ministerial officers of the Education Department outside the said office have been excluded from it ?

(*b*) If so, will the Government be pleased to state the salaries of the different grades of this cadre ?

(*c*) Is it a fact that on account of the creation of this cadre many ministerial officers of the office of the Director of Public Instruction are now getting higher salaries than many of the ministerial officers outside the office of the Director of Public Instruction, who were in higher grades or in the same grades with them, but were senior in position formerly while they were in one common cadre ?

(*d*) If so, will the Government be pleased to state whether they are considering the desirability of removing such difference by creating one amalgamated cadre for all ministerial officers of the Education Department in the province ?

(*e*) If answer to clause (*d*) be in the negative, are the Government considering the desirability of taking steps to compensate those ministerial officers outside the office of the Director of Public Instruction who have been superseded in the manner referred to in clause (*c*) ?

(*f*) Will the Government be pleased to state the necessity of having two different cadres for ministerial officers of the Education Department ?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) Yes.

(*b*) A statement is laid on the table.

(*c*) Owing to the creation of the separate cadre some officers of the clerical establishment of the Director of Public Instruction now receive higher salaries than some ministerial officers outside the Director of Public Instruction's office who were senior to them in the common cadre.

(*d*) No.

(*e*) No.

(*f*) The clerical establishment of the Director of Public Instruction has to do work of a higher class than the clerical establishment of subordinate offices."

Statement referred to in the answer by the Hon'ble MR. O'MALLEY *to Question No. 2 (starred) asked by the Hon'ble* BABU KISHORI MOHAN CHAUDHURI *at the Council Meeting of the 20th November 1917.*

List of Clerical Establishment of the Director of Public Instruction, Bengal.

UPPER DIVISION.

		Rs.
1	on	250—10—300
1	on	250
2	on	200
2	on	175
3	on	150
3	on	125
3	on	100
15		

LOWER DIVISION.

		Rs.
4	on	80
5	on	70
7	on	60
7	on	50
5	on	40
4	on	30
32		

PROBATIONERS (TEMPORARY).

		Rs.
4	on	25 each.

TYPISTS.

		Rs.
1	on	100—5—150
1	on	50—5—100
2	on	50—2—70
4	on	30—2—50
8		

Total ... 59

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

* 3. (*a*) Will the Government be pleased to state whether it is in their contemplation to improve the pay and prospects of the teachers of guru training schools established in 1903?

(*b*) Will these gurus participate under the general scheme for the distribution of the recurring grant of 9 lakhs for the improvement of the pay and prospects of teachers of primary and secondary schools?

(*c*) Will the Government be pleased to state whether it is a fact that only four posts of the guru-training school teachers in the Dacca and Chittagong Divisions have been made pensionable since 1909?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) Proposals for the reorganization of guru-training schools which involve the employment of an improved staff on higher rates of pay have been submitted to the Government of India.

(*b*) Provision for this scheme of reorganization has been made in the proposals submitted to the Government of India for the distribution of the 9 lakhs grant.

(*c*) The services of all head pandits and pandits in guru training schools in Eastern Bengal have been made pensionable with effect from 1st April 1914."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI

Settlement operations in Rajshahi district

* 4. (*a*) Are the Government aware that in the Settlement Department in the Rajshahi district the papers supplied to the zamindars on payment of cost assessed upon them are not sufficient for testing the accuracy of the papers supplied, and are wanting in important information as regards sub tenancies and the areas of the plots of measurement and the variation of the settlement boundaries of the mauzas determined summarily on possession from the revenue survey boundaries (which are generally accepted as safe guides on questions of title) and the zamindars in consequence are being obliged to purchase from the Settlement Department complete khatians and to take certified copies of other necessary papers?

(*b*) Will the Government be pleased to state whether any representation on the subject has been submitted to the Settlement Officer in Rajshahi by the leading zamindars of the district?

(*c*) If the facts are as stated above, will the Government be pleased to state whether the representation is under their consideration and whether they are contemplating the issue of necessary orders for the supply of papers as may be decided by Government to be necessary?

Answer by the Hon'ble MR. DONALD in the absence of the Hon'ble MR. KERR :—

"(*a*) In the Settlement Department in Rajshahi the following papers are given to the zamindars and other landlords, on payment of settlement costs in accordance with general Government orders :-

(*i*) the village map,

(*ii*) a copy of the landlord's own khatian containing, *inter alia*, a list of plots (with areas) in his own direct possession and a list of tenancies immediately subordinate to him, and

(*iii*) copies of khatians of those tenancies with similar information

If the landlords require copies of the khatians of sub-tenancies subordinate to the tenancies in (*iii*) or of any papers which do not form part of the legal final record-of-rights, they have to purchase them.

(*b*) The answer is in the affirmative.

(*c*) The Hon'ble Member apparently suggests that landlords should receive on payment of the settlement costs—

(*i*) copies of khatians of all sub-tenancies subordinate to those immediately under them,

(*ii*) copies of papers or maps showing variations of the settlement boundaries of the mauzas determined summarily on possession from the revenue survey boundaries.

As regards (*i*), that is to say, where there is subinfeudation, costs are so apportioned that the zamindar pays appreciably less than where there is no such subinfeudation. Apart from the difficulties of organization and the increased cost entailed thereby, Government are not prepared to give copies of khatians of such sub-tenancies without extra payment by the persons interested.

As regards (*ii*), such papers are not ordinarily prepared for the use of the public, and Government do not consider it advisable to order their preparation."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

The case of a détenu.

* 5. (*a*) Has the attention of the Government been drawn to the decision of the Special Tribunal in the case of Narendra Narayan Roy tried in Rajshahi in September last ?

(*b*) Is it a fact that the monthly allowance of Narendra Narayan Roy detained at Gazol in the interior of the Malda district was fixed at Rs. 20 a month, including Rs. 5 for the allowance of a servant, and that he was paid accordingly for three months ?

(*c*) Is it a fact that in the month of August 1916, the Superintendent of Police remitted Rs. 5 only after deducting Rs. 15, as no servant was engaged by the détenu during the previous three months, though, as a matter of fact, he had to spend something by way of servant allowance without keeping a regular one ?

(*d*) Is it a fact that the détenu left the place of his internment without sanction, but he was subsequently arrested and prosecuted ?

(*e*) Is it a fact that the détenu pleaded before the Special Tribunal that he was compelled to leave the place of his internment without sanction, because of the deduction of his allowance and for various other ill-treatments, and that the Special Tribunal in consideration of his plea and the disclosures made in the evidence dealt with him very leniently ?

(*f*) Will the Government be pleased to state whether the deduction of Rs. 15 in one month out of the monthly allowance of Rs. 20 was made with the sanction of the Government, and if it was made without such sanction what action has been taken or is being taken in the matter ?

(*g*) Will the Government be pleased to state whether any inquiry has been made as to the truth of the complaints of ill-treatment made by the détenu, and, if so, with what result ?

Answer by the Hon'ble MR. DONALD in the absence of the Hon'ble MR. KERR :—

" (*a*) The answer is in the affirmative.

(*b*) and (*c*) Narendra Narayan's allowance was fixed by the District authorities at Rs. 14, and Rs. 6 was in addition specifically allowed for a servant; this was drawn for three months, but as Narendra had not employed a servant, for whom a specific allowance was made, he was called upon to refund the amount overdrawn in two instalments, beginning with the month of August.

(*d*) The answer is in the affirmative.

(*e*) Narendra stated to the Tribunal that he had absconded because life was intolerable in his place of internment. The Tribunal therefore went

into the evidence to see if there were any circumstances which would induce them to mitigate the ordinary sentence. Their finding as expressed in their judgment is as follows: 'There were various allegations of inhuman treatment by the police and others, but we find on the contrary that everything was done for the accused that could be done, and that the real cause of his getting into a deplorable state was that he did not make representations as to the grievances which were weighing on his mind to the responsible authorities.' The judgment continues: 'The conditions, however, were no doubt depressing to some extent and the accused's unhappy state of mind appears to have been genuine and not assumed. We are then disposed to deal with him leniently on this occasion.'

(*f*) The matter was not referred to Government, and Government do not propose to take any action after this lapse of time. The ordinary and preferable course is to sanction an allowance (if it is required) as a lump sum, without earmarking a part of it for specific purposes, and the District Magistrate of Malda has been instructed to this effect.

(*g*) The Hon'ble Member is referred to the judgment of the Tribunal quoted in the answer to portion (*c*) of this question."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI:—

A détenu and his allowance.

* 6. (*a*) Is it a fact that one Tarak Nath Sanyal, of Dighapatia, in the Rajshahi district, was interned at the Mukshudpur police-station in the district of Faridpur in the beginning of the month of August last, but that neither any allowance was fixed for his maintenance nor was any sum advanced to him to maintain himself, and that he had to live upon "chira" only once a day?

(*b*) Is it a fact that—

(*i*) the détenu then appealed to his maternal grandmother and maternal aunt through the Sub Inspector of the police station that if at least Rs. 15 be not advanced to him immediately he would die of starvation,

(*ii*) his maternal grandfather, Trailakya Nath Chakrabarty of Hoga, near police-station Durgapur, of Rajshahi, could afford to send and did send only Rs. 5 for the immediate relief of his grandson and appealed to the Magistrates of Rajshahi and Faridpur to move the authorities for the immediate release of the détenu,

(*iii*) the District Magistrate of Rajshahi said he could do nothing as the matter was not in his hands, and

(*iv*) the matter was thereupon brought to the notice of the Secretary in charge by a member of this Council?

(*c*) If the facts are as stated in clauses (*a*) and (*b*), will the Government be pleased to state—

(*i*) what steps have been taken for the maintenance of the détenu in question,

(*ii*) why he was sent to a distant place without any arrangements being made for the regular payment of his maintenance allowance, and

(*iii*) why he could not be detained in a jail pending the sanction of the subsistence allowance?

Answer by the Hon'ble MR. DONALD in the absence of the Hon'ble MR KERR :—

"(*a*) Tarak Nath Sanyal was interned in August last at Muksudpur district Faridpur. A maintenance allowance is granted only when the détenu's family is unable to support him at his place of internment and he has no means of his own; in such cases the Magistrate of the district in which the détenu is interned has authority to grant such allowance as he considers suitable and the amount of allowance so granted is reported for the formal sanction of Government. No report of the grant of an allowance in this case has yet reached Government.

(*b*) A petition dated 13th September 1917, was received by Government from the maternal grandfather of the détenu, containing the statements set forth in this part of the question and saying that when he presented his petition to the District Magistrate of Rajshahi he was instructed to present it to the District Magistrate of Faridpur, the district in which the place of internment was situated. On the 9th September the Hon'ble Member forwarded a duplicate copy of this petition to Government.

(*c*) (*i*) In reply to his petition of 13th September the grandfather was informed that any question of allowance to the détenu should be referred to the District Magistrate, Faridpur, who has authority to decide it.

(*ii*) and (*iii*) The Hon'ble Member is referred to the answer to clause (*a*)."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

* 7. Will the Government be pleased to lay on the table a statement showing what maintenance allowance has been granted to each of the interned, who are still under detention, and from when, and whether the allowance is being paid regularly?

Answer by the Hon'ble MR. DONALD in the absence of the Hon'ble MR. KERR :—

"Government are not prepared to lay the statement requested on the table."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

An acting appointment in the Indian Educational Service.

* 8. (*a*) With reference to the reply to my starred question No. 10 asked at the Council meeting held on the 4th September last, will the Government be pleased to state the name of the Professor of the Indian Educational Service who is said to have been transferred to fill the vacancy consequent on the deputation of an Inspector of Schools of the Indian Educational Service to military duty, and in whose place a Professor of a College (No. 11 in class IV of the Provincial Educational Service) is officiating?

(*b*) Will the Government be further pleased to state why in the Civil Lists for 1916 and 1917 the aforesaid Professor of the Provincial Educational Service (No. 11 in class IV) has been shown as acting in the Indian Educational Service in the place of an Inspector of Schools in the Indian Educational Service on military duty?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) On the deputation of Mr. H. E. Stapleton, Inspector of Schools, Dacca, to military duty in 1915, Mr. F. C. Turner, Principal of the Chittagong College, was transferred to the post which Mr. Stapleton had held. The post of the Principal, Chittagong College, was filled by Mr. J. R. Barrow, Professor in Dacca College. Babu Satyendra Nath Bhadra, Provincial Educational Service, was appointed to act in the Indian Educational Service in the post of Professor at Dacca College vacated by Mr. Barrow.

(*b*) It will be seen from the answer to question (*a*) that the vacancy in the post of a Professor in the Indian Educational Service filled by Babu Satyendra Nath Bhadra was consequent on the deputation of an Inspector of Schools to military service. The entry in the Civil Service list to which the Hon'ble Member refers is based on Notification No. 3426, dated 19th August 1915, a copy of which is laid on the table, but it does not reproduce its terms verbatim."

Copy of notification referred to in the answer by the Hon'ble MR. O'MALLEY *to question No. 8 (starred) asked by the Hon'ble* BABU KISHORI MOHAN CHAUDHURI *at the Council meeting of the 20th November, 1917.*

GOVERNMENT OF BENGAL.

GENERAL DEPARTMENT.

Education Branch.

NOTIFICATION No. 3426.

The 19th August 1915.—Babu Satyendra Nath Bhadra, Professor, Dacca College (class V of the Provincial Educational Service), is appointed to act in the Indian Educational Service, in the vacancy consequent on the deputation of Mr. H. E. Stapleton, with effect from the 7th July, 1915.

K. C. DE,

Offg. Secy. to the Govt. of Bengal.

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

Alleged discourtesy of an offi

* 9. Is it a fact that Mr. Burrows, the Officiating Deputy Commissioner of Darjeeling, omitted to receive Mr. J. N. Gupta, the Officiating Commissioner of the Rajshahi Division, at the Darjeeling railway station platform on his arrival there on the 2nd October last? Is it the intention of Government to make an inquiry in the matter?

Answer by the Hon'ble MR. DONALD in the absence of the Hon'ble MR. KERR :—

" Mr. Burrows was not at Darjeeling when Mr. Gupta arrived there on the 3rd October. As he had already arranged, with Mr. Gupta's consent, to be in Siliguri on that date, he sent the senior Deputy Magistrate to meet Mr. Gupta at the railway station."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

The Subordinate Executive Service.

* 10. (*a*) Are the Government aware that there is a feeling of great discontent among the members of the Subordinate Executive Service on account of the smallness of their initial and final maximum salaries as well as the want of good general prospects?

(*b*) If so, will the Government be pleased to state whether they are contemplating taking any action with a view to remove these grievances by raising the minimum salary of the services to Rs. 150 and the maximum to Rs. 400 a month?

Answer by the Hon'ble MR. DONALD in the absence of the Hon'ble MR. KERR :—

" (*a*) The salaries and prospects of the Subordinate Civil Service have formed the subject of complaints from time to time in the press and elsewhere.

(*b*) The conditions of the Service have frequently been under the consideration of Government, but no such action as that suggested is immediately contemplated.

The pay of the Subordinate Civil Service was fixed in relation to that of the Provincial Civil Service and the question of its increase cannot conveniently be taken up independently. It is possible that any decision arrived at in connection with the recommendations of the Public Services Commission regarding the Provincial Service might raise considerations affecting the Subordinate Civil Service, but no assurance can be given regarding the latter "

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Floods in Howrah district.

* 11. (*a*) Is it a fact that nearly three-fourths of the *bhadoi* crops in the Amta and Singti thanas in the Howrah district have been damaged by recent floods?

(*b*) Is it a fact that about 33 per cent. of the winter rice crop has been damaged by the recent flood in the Arambagh subdivision of the Hooghly district?

(*c*) Are the Government aware that owing to the favourable conditions of the weather at sowing time an increase of more than 7,000 acres in area of winter rice than last year was sown in the Howrah district this year?

(*d*) Is it a fact that half of this winter's rice crop within the jurisdiction of Amta and Singti thanas in the Howrah district has been destroyed by the Damodar floods?

Answer by the Hon'ble MR. DONALD in the absence of the Hon'ble MR. KERR :—

"(*a*) and (*d*). Yes, as regards the Singti thana and that portion of the Amta thana which lies to the west of the Damodar

(*b*) Yes, as regards thanas Pursura and Khanakul which lie to the west of the Damodar.

(*c*) The excess area this year is estimated at 5,000 acres."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :

* 12. (*a*) Will the Government be pleased to state what steps have been taken or are being taken by the Superintending Engineer, South-Western Circle, and the Executive Engineer, Northern Embankment and Drainage Division, for mitigating the effects of floods in the Burdwan Division out of the special grant of Rs. 2,50,000 as provided in the Budget for 1917-18? Floods in the Burdwan Division.

(*b*) Will the Government be pleased to state the amount actually spent up till now out of the above provision of Rs. 2½ lakhs and the details of the works done just before and after the floods?

(*c*) Will the Government be pleased to state whether the amount of Rs. 2½ lakhs as provided in this year's Budget is to be fully spent before the next flood-season?

(*d*) If so, will the Government be pleased to lay on the table a copy of the estimates for works for which administrative sanction of Government has been received by the engineers concerned?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) The following action is being taken to mitigate the effects of floods in the Burdwan Division The expenditure incurred is being met from the special grant of Rs. 2½ lakhs provided in the Budget for this year :—

(*1*) The improvement of the Ghesapatty khal was taken up and the deepening of the khal to about 6 feet completed It is anticipated that it will be possible to resume work by the middle of December 1917, when the water level in the khal has subsided

(*2*) Construction of a retired line in the first mile of Buxi khal left embankment has been taken up; and the land acquisition proceedings are in progress. Possession of the land required was taken, and work was started on the embankment before the monsoon of 1917. Arrangements for starting work again after the monsoon have been made, and the work will be resumed immediately.

(*3*) Detailed estimates for raising the embankment on the right bank of the Ajai river have been prepared and will shortly be sanctioned. This work will be taken up in December next.

(*b*) The amount actually spent before the monsoon of 1917 has been Rs. 23,441, but no expenditure has been incurred since the monsoon ceased. Progress has been hampered owing to early setting in of the monsoon and its continuance to the month of November, 1917.

(*c*) Yes.

(*d*) A copy of the abstracts of estimates which have received the administrative sanction of Government, is placed upon the table."

Statement referred to in the answer by the Hon'ble MR. COWLEY *to question No. (starred) asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *at Council meeting of the 20th November, 1917.*

SOUTH-WESTERN CIRCLE.

NORTHERN DRAINAGE AND EMBANKMENT DIVISION.

[Abstract of cost of estimate for retiring the Baxi khal left embankment and improving the Baxi and Ghesapatty khals

No	Quantity and denomination.	ITEMS OF WORK.	Rate.	Cost.	Total
		GENERAL ABSTRACT OF COST.	Rs. A. Per	Rs.	Rs
		Main estimate.			
1	.....	Constructing a retired line in the 1st mile of Baxi khal left embankment, including improving the abandoned embankment	.....	79,195	
2	.....	Improving the Baxi khal	.....	1,66,522	
3	.....	Improving the Ghesapatty khal ...	.....	1,50,645	
		Total ...	.....	...	3,96,3
		Constructing retired line in the first mile of Baxi left embankment, including improving the abandoned embankment—			
1	35,69,354 c. ft.	Earthwork	6 0 1,000 c. ft.	21,416	
2	4,87,500 s. ft.	Dressing and turfing	1 8 1,000 s. ft.	731	
3	4,87,500 ,,	Unforeseen charges for obtaining turf from a distance.	1 0 1,000 ,,	488	
4	76,000 ,,	Crest dressing	0 4 1,000 ,,	19	
		Total ...	.....	...	22,65
		Contingencies at 5 per cent. ...	.....	...	1,13
5	273 bighas	Land	200 0 bigha	...	54,60
6	16·15 ,,	Compensation for garden trees and tanks ...	50 0 ,,	...	808
		GRAND TOTAL ...	.....	...	79,195
		Improving the Baxi khal.			
1	2,05,99,780 c. ft.	Earthwork by dredger	6 0 1,000 c. ft.	1,23,599	
2	5,06,880 ,,	Earthwork in constructing marginal bunds	4 0 1,000 ,,	2,028	
2a	1,45,920 ,,	Earthwork in making cuts in the existing bank to enable the sludge to spread.	4 0 1,000 ,,	584	
3	7,98,720 ,,	Earthwork in removing bund ...	4 0 1,000 ,,	3,195	
		Total ...	.....	...	1,29,406
		Contingencies at 5 per cent. ...	.....	...	6,470
4	153·23 bighas.	Land	200 0 bigha	...	30,646
		GRAND TOTAL ...	.....	...	1,66,522
		Improving the Ghesapatty khal.			
1	1,77,97,768 c. ft.	Earthwork	6 8 1,000 c. ft.	1,15,685	
2	18,87,600 s. ft.	Dressing the spoil bank	0 4 1,000 s. ft.	472	
		Total ...	.....	...	1,16,157
		Contingencies at 5 per cent. ...	.....	...	5,808
	286·8 bighas.	Land	100 0 bigha	...	28,680
		GRAND TOTAL ...	.....	...	1,50,645

CALCUTTA,
The 8th December, 1915.

S. N. BANERJI.
Executive Engineer, Northern Drainage and Embankment Division.

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

* 13. Will the Government be pleased to state what steps have been taken by the Corporation of Calcutta for the prevention of adulteration of *ghee*? Prevention of *ghee* adulteration.

Answer by the Hon'ble MR. O'MALLEY :-

" The Chairman of the Calcutta Corporation reports that 38 samples of *ghee* were taken under the Calcutta Municipal (Amendment) Act, 1917, in September and 47 in October. Of these 22 were found to be adulterated, and prosecutions have been instituted against the vendors. One large consignment of *ghee*, consisting of 900 tins, has been seized and the case is now pending. A Special Food Inspector and two additional Analysts have been appointed to deal with the adulteration of *ghee*, and in addition to these, the eight Food Inspectors who constitute the regular staff are inspecting *ghee* offered for sale and taking samples in the usual way. Since the passing of the Act 12 out of 24 wholesale vendors and a large number of retail dealers have either closed their business altogether or have no stock of *ghee* at present, but it is reported that some new shops have recently been opened for the sale of *ghee* which is alleged to be pure. Three tallow factories and eight places where it was suspected that adulteration of *ghee* with tallow was being carried on, were recently raided. No *ghee* was found in the tallow factories, and the samples taken proved on analysis to be only tallow. Of the other eight places which are mostly situated in *bustees*, four have closed down since the new Act came into force, one was found to be a *bonâ fide* tallow and oil depôt and three are under observation."

By the Hon'ble RAJ RADHA CHARAN PAL BAHADUR :—

* 14. (*a*) Is it a fact that one Surendra Mohan Ghose of Dhipur (of Dacca), a détenu now interned at Rangamati (Noakhali district), submitted two petitions to the Superintendent of Police (Noakhali), one on the 30th May and the other on the 11th of June last, praying to be placed under the treatment of the Civil Surgeon, as his health did not improve under the treatment of the Sub-Assistant Surgeon, and that on the contrary he was getting worse, and that he was informed on the 24th June by the police officer that his case had been reported to the Deputy Inspector-General of Police? Health of a détenu.

(*b*) Is it a fact that he again made two petitions, one on the 10th July and another on the 26th August last, to the Additional Secretary, through the Superintendent of Police (Noakhali), to the above effect, but that nothing was done?

(*c*) Is it a fact that on the 15th September last, the détenu was transferred from Sandip island, where he was interned, to Rangamati, and from there he again submitted a petition dated the 3rd October?

(*d*) If the answers to the above questions be in the affirmative, will the Government be pleased to state the reason for the delay in dealing with the petitions and redressing the grievances of the détenu?

Answer by the Hon'ble MR. DONALD in the absence of the Hon'ble MR. KERR :—

"(*a*), (*b*) and (*c*) Surendra Mohan Ghose who was then interned at Sidhi suffered from dyspepsia in June; arrangements were made for his medical treatment and the doctor reported on 7th June that he was suffering from chronic dyspepsia and was in no danger whatever. On the 10th July the

détenu addressed a petition to the Additional Secretary praying that he might be placed under " proper medical treatment " and be provided with one artificial tooth to replace one he had lost. He was still under medical treatment and there was no foundation for the allegation that the treatment was not ' proper,' but as the dyspepsia was chronic, it was decided to transfer him to another place, and as soon as the necessary arrangements could be made the order of transfer to Rangamati was passed on the 3rd September. No petition appears to have been received by Government dated the 3rd October.

(*d*) There has been no unnecessary delay in dealing with the petitions of the détenu, and as will be seen from the answer to the first part of the question there are no legitimate grievances to be redressed."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

llector of amp and cise Revenue d Deputy llector of Land venue at lcutta.

* 15. (*a*) Will the Government be pleased to state who is the present Collector of Stamp and Excise Revenue and Deputy Collector of Land Revenue at Calcutta?

(*b*) What post did he hold before this appointment?

(*c*) When was he appointed to the present post?

(*d*) Has he been made permanent? If not, why not?

Answer by the Hon'ble MR. DONALD in the absence of the Hon'ble MR. KERR :—

" (*a*) Babu Nityananda Bhar.

(*b*) and (*c*) In August 1910, Babu Nityananda Bhar, who was then on leave but had previously been Subdivisional Officer of Bangaon in Jessore, was appointed Deputy Collector of Calcutta. On 8th June 1916 he was appointed to officiate as Collector of Excise and Stamp Revenue and Deputy Collector of Land Revenue in addition.

(*d*) He has not been made permanent, as the future of the post is under the consideration of Government."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Assistant llector of come-tax Calcutta.

* 16. (*a*) Will the Government be pleased to state whether it is a fact that a new post of Assistant Collector of Income-tax, Calcutta, has been created?

(*b*) Under what circumstances and for what purpose has this post been created?

(*c*) Was the appointment made in consultation with the Collector of Income-tax and the Divisional Commissioner? If so, what were their recommendations?

(*d*) Will the Government be pleased to lay on the table the correspondence on the subject?

(*e*) Who has been appointed to fill the new post? Has he had any training in the income-tax work at Calcutta?

Answer by the Hon'ble MR. DONALD :—

" (*a*) Yes.

(*b*) The appointment of a wholetime officer of this rank was necessitated by the great increase in income-tax work created by the passing of the Income-tax (Amendment) Act V of 1916.

(*c*) Yes. Both the Collector and Commissioner recommended the appointment of an additional officer to assist the Collector.

(*d*) Government are not prepared to lay the correspondence on the table.

(*e*) Mr. C. H. Crosse, Deputy Magistrate, 3rd grade. He had experience of income-tax work in Calcutta, when he acted as Collector of Income-tax for 8 months in 1912."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

* 17. (*a*) Will the Government be pleased to state whether a special officer has been appointed as an Assessor of Super-tax at Calcutta? Assessor of Super-tax in Calcutta

(*b*) If so, what is the salary of the post and who is the officer appointed?

(*c*) What post did he occupy last and what salary did he draw there?

(*d*) What number of persons are liable to be assessed under the Super-tax in Calcutta?

(*e*) Will the Government be pleased to state why the work of the assessment of Super-tax could not be distributed among the existing Assessors in their respective jurisdictions?

(*f*) Is it a fact that everywhere else in the Presidency of Bengal this work is being done by the existing Assessors?

(*g*) If it was necessary to appoint a special officer to the post, will the Government be pleased to state why a member of the Provincial Executive Service, drawing the next lower pay, was not appointed to the post?

Answer by the Hon'ble MR. DONALD :—

"(*a*), (*b*) and (*c*) A post of Superintendent for Super-tax work has been sanctioned temporarily for one year, and Mr. C. R. George, Superintendent of the Stamp Department in the Calcutta Collectorate, has been appointed to the post on a salary of Rs. 480 with a fixed conveyance allowance of Rs. 50 a month. His pay as Superintendent of the Stamp Department was Rs. 400 a month.

(*d*) The number of persons assessed up to the 31st October, 1917 was 221. Information as to the total number liable is not yet available.

(*e*) Income-tax work already fully occupies the time of the existing Assessors and an additional officer was found necessary for Super-tax work.

(*f*) Yes. Outside Calcutta there are very few assessees liable to Super-tax, and no additional staff is required by District Officers.

(*g*) The character of the work connected with the assessment of the Super-tax in Calcutta demands experience which is not found in the Provincial Executive Service."

The answers to the following Unstarred Questions were laid on the table :—

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

I. (*a*) Is it a fact that the Mymensingh-Bhairab Railway Company charges a fare for a distance of 14 miles from Mymensingh to Shambhuganj, whereas the actual distance is only 3¼ miles? Mymensingh-Bhairab Railway

(*b*) Is it a fact that, owing to this charge, passengers for up trains usually book themselves from, and passengers for down trains to, the Shambhuganj station?

(*c*) Are the Government aware that people generally prefer coming this distance by boat, or on foot during the dry season, rather than pay the extra fare?

(*d*) Are the Government considering the desirability of making an inquiry into the matter with a view to recommending the reduction of the extra fare?

(*e*) Is it a fact that the distance over the bridge on the Brahmaputra is calculated at 10 miles, whereas its actual distance is less than half a mile?

(*f*) Are the Government considering the desirability of making an inquiry as to whether any extra mileage is charged on any other railway under similar circumstances?

Answer by the Hon'ble MR. COWLEY :—

" (*a*), (*b*) and (*c*) The reply is in the affirmative.

(*d*) The question of reducing the fares from Shambhuganj is under the consideration of the Railway Administration.

(*e*) Yes. The extra charge represents a " pontage " charge on account of the expensive bridge over the Old Brahmaputra river.

(*f*) No inquiry is considered necessary. A special rate over an expensive section of line is justified; and the method adopted of assuming a hypothetical increase in distance is that usually adopted in such cases."

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

Height of the railway bridge over the Brahmaputra

II. (*a*) Has the attention of the Government been drawn to the fact that the height of the railway bridge over the Brahmaputra from its high water level is insufficient for navigation by ordinary cargo boats?

(*b*) If so, are the Government considering the desirability of asking the Railway Company to remove this inconvenience?

Answer by the Hon'ble MR. COWLEY :—

" (*a*) No.

(*b*) The headway accepted for this bridge is 23 feet above H.F.L., but, owing to the difficulty of procuring the necessary girders during the war, this Government agreed that a headway of 16 feet should be provided as a purely temporary measure. The bridge, as at present constructed, provides a headway of 16 feet 9 inches above highest recorded flood level, which is about 2 feet higher than ordinary flood level. This gives one or two feet clearance to the fixed masts of the largest boats which usually ply on the river; and ample headway for those boats which lower their movable masts."

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

Mymensingh railway station.

III. (*a*) Are the Government contemplating taking any steps to improve the railway station at Mymensingh?

(*b*) Are the Government aware that there is no separate waiting room in the Mymensingh railway station for intermediate class passengers, both male and female?

(*c*) If so, are the Government contemplating taking any steps with a view to recommending to the railway authorities to remove this inconvenience?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) The question of providing improved facilities at Mymensingh railway station is now engaging the attention of the Eastern Bengal Railway authorities, and a scheme is under investigation.

(*b*) Yes.

(*c*) The question of providing a separate waiting room for intermediate class male passengers will be considered in connection with the scheme for improving the station.

A separate waiting room for intermediate class female passengers is not at present considered necessary."

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

IV. (*a*) Are the Government aware that malaria has already made its appearance in some parts of the Tangail and Manikganj subdivisions? Malaria in East Bengal.

(*b*) Will the Government be pleased to state what steps they are taking to check the spread of the disease?

Answer by the Hon'ble MR. O'MALLEY :—

"The Civil Surgeon of Mymensingh reports that this year malaria is not so prevalent in the Tangail subdivision as it was in previous years. In some localities it was reported to be prevalent, and two District Board doctors were deputed to do malaria duty in the Tangail subdivision. One of them has been withdrawn very recently and one is still on duty there. So far as Manikganj is concerned, a report is being awaited."

By the Hon'ble RAI SRI NATH RAY BAHADUR :—

V. (*a*) Are the Government aware that the litigant public and their witnesses have to suffer great inconvenience and expose themselves to the sun and to the rain for want of sheds in Court compounds? Sheds for litigants in Court compounds.

(*b*) Is it a fact that the litigant public contribute largely to the income derived from the Courts?

(*c*) If so, are the Government considering the desirability of taking any steps to mitigate this inconvenience?

Answer by the Hon'ble MR. KERR :—

"(*a*) Government are aware that the accommodation provided for parties and witnesses is defective in many places.

(*b*) Yes.

(*c*) Sheds are being provided in the places where they are most required as rapidly as is possible in view of the financial situation and the demands for judicial buildings of a more urgent nature."

By the Hon'ble BABU KISHORI MOHAN CHAUDHURI :—

VI. Are the Government considering the advisability of allowing the members of the Provincial Educational Service and the Indian members of the Indian Educational Service in Bengal an opportunity of expressing their views and grievances (if any) on the recommendations of the Public Public Services Commission and the Educational Services.

Services Commission affecting their interest and prospects in the service with a view to considering them before any action is taken upon those recommendations?

Answer by the Hon'ble MR. O'MALLEY :—

"Government are appointing a strong Provincial Committee, on which influential Indian opinion will be represented, to consider and report to the Government of Bengal upon the recommendations of the Public Services Commission regarding the Education Department; the Committee will include members of the Provincial Educational Service, some of whom are acting in the Indian Educational Service. It will be open to any member of the Provincial Educational Service or Indian Educational Service to make a representation to the Committee, which will be instructed to communicate to Government its views on the representations which it receives."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

Government High schools in Dacca Division.

VII. (*a*) Are the Government aware that the Inspector of Schools, Dacca Division, has recently issued to the Head Masters of all Government High English schools within his Division a circular letter No. 21978-82, dated the 29th August, 1917, enjoining the following limits to be strictly observed from the beginning of the next session in each section of the several classes in such schools?—

	Boys
Classes X, IX	35
,, VIII, VII, VI, V	30
,, IV, III	25

(*b*) Is it not a fact that the University Regulations prescribe the following limits to be observed in each section of the following classes in a High English school?—

	Boys.
Classes X, IX	50
,, VIII, VII, VI, V	40
,, IV, III	30

(*c*) Are the Government aware of the fear that exists that the immediate effect of the Inspector's circular letter referred to above, would be the expulsion of nearly 70 to 80 boys from every Government High English school who would be left with very little chance of getting admission into other high schools whose classes may be already full?

(*d*) Are the Government also aware that his circular letter has produced widespread alarm among the parents and guardians of students in Government High schools in the Dacca Division?

(*e*) Are the Government considering the advisability of suspending the operation of the circular letter in question, pending any inquiry that may be made on the subject, or until additional sections to each of these classes can be provided to meet the demands of these schools?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) Government are aware of the issue of this circular, which applies only to the Dacca Collegiate School, the Dacca Moslem High School, and the Faridpur, Mymensingh and Barisal Zilla Schools.

(*b*) The University Regulations prescribe these numbers as limits not to be exceeded.

(*c*) Some such apprehension was entertained in certain quarters. A subsequent order of the Inspector, dated 3rd November, 1917 explains and to some extent modifies the original order. It directs that the limits prescribed in the circular shall be worked down to gradually, and that no pupils already in these schools who are making satisfactory progress shall be removed unless their retention leads to the University limits being exceeded.

(*d*) No.

(*e*) No."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

VIII (*a*) Are the Government aware that several letters purporting to have been written by the détenu Sachindra Nath Das Gupta, of Rangpur, previous to his committing suicide, are in circulation, and that no less than three of these letters, one addressed to a Police Inspector at Rangpur and two others addressed to the father and the brother of the deceased, have appeared in public print? Letters of a deceased detenu.

(*b*) Are the Government aware that these letters indicate that the deceased had been watched and shadowed by the police at Rangpur and that this led him to consider his life an intolerable burden to him?

(*c*) If so, how are the statements contained in these letters to be reconciled with the statement made in the official *communiqué* recently issued to the Press that the unfortunate young man was *not* shadowed by any police at Rangpur?

(*d*) What were the sources of information upon which the official *communiqué* referred to above was based?

(*e*) Is it a fact that the deceased was considered to be a promising student and that he had obtained Government scholarships both at the Matriculation and Intermediate examinations of the University?

(*f*) Is it true that the Magistrate-President of the Rangpur College Council had no objection to admit the détenu into his college? If so, on whose objection was he refused such admission?

Answer by the Hon'ble MR. KERR :—

"(*a*) Government are aware that some letters purporting to have been written by Sachindra Das Gupta before he committed suicide have appeared in the public press.

(*b*) Some of the expressions used in these letters appear to indicate that Sachindra Nath Das Gupta was under the erroneous impression that he was shadowed by the police.

(*c*) The impression that he was shadowed by the police, if it existed in the mind of Sachindra Nath Das Gupta, was entirely mistaken.

(*d*) The *communiqué* was issued after the examination of such witnesses (including relatives of the deceased) as appeared to be likely to be cognisant of the facts.

(*e*) Government have no information on the subject.

(*f*) The District Magistrate of Rangpur consulted Government regarding the advisability of Sachindra being admitted to the Rangpur College; in view of the information at that time in their possession, Government advised that his admission would entail the risk of other students being contaminated."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

Student détenus.

IX. (*a*) What is the total number of student détenus in Bengal who have been set at liberty under the control and supervision of their parents or guardians without being allowed to join any school or college?

(*b*) Are such détenus when set at liberty, as stated above, kept under any kind of police surveillance?

Answer by the Hon'ble MR. KERR :—

"(*a*) It is presumed that the question refers to détenus whose order of domicile has been cancelled on the provision of guarantees for future good behaviour; the total number of détenus so released has been 108, the majority of whom are students. No statistics have been kept as to their subsequent treatment in the matter of education; individual cases are dealt with as they arise. Unless there are exceptional circumstances, it is the policy of Government to leave the decision, whether a détenu, after the order of internment is cancelled, may join a school or college, to the school or college authorities in consultation with the District Magistrate, provided that the full facts of the case are laid before these authorities.

(*b*) The answer is in the negative."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

Student détenus and their studies.

X. Will the Government be pleased to explain the meaning of the policy under which student détenus are set at liberty under the roof of their parents or guardians and yet debarred from prosecuting their studies in public schools and colleges? Is there any economic consideration underlying this policy?

Answer by the Hon'ble MR. KERR :—

" As long as the order of internment is in force against a détenu it is clearly impossible to allow him to attend a school or college. When the order is cancelled, unless there are exceptional circumstances, the responsibility of deciding whether permission to join shall be granted or not must rest with the school authorities who are responsible to the guardians of the other boys at the school; in order to discharge this responsibility it is essential that they should consult the district authorities who are in possession of the full facts of the case.

The second part of the question is not understood."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

A détenu's suicide.

XI. (*a*) In the case of Hari Das Das, which formed the subject of interpellation at the meeting of the Bengal Legislative Council held on the 4th September last, will the Government be pleased to state how or why the petitions of the deceased, dated the 4th and 14th July, reached the Superintendent of Police after his return from the local inquiry into the matter of the suicide?

(*b*) Were the petitions received through the Post Office or how?

(*c*) Did any of the police officers who visited Hari Das Das from the 5th to the 18th July make any report regarding the condition of his health or touching any complaint made by him about his allowance?

(*d*) How long was Hari Das Das suffering from malarial fever prior to the suicide?

(*e*) Was the District Magistrate's finding as to the suicide being the "result of depression after fever" based upon any medical examination or expert opinion?

Answer by the Hon'ble MR. KERR :—

"(*a*) The petition dated the 8th July (not the 4th) was written at the guest-house, Puthia and handed over to the thana police on the 9th idem. It was forwarded to the office of the Superintendent of Police, but partly owing to his illness and partly owing to his absence on a local inquiry it was not put up for orders till the 19th July. The petitions dated the 14th July, were not received at the thana till the 17th July, and were then forwarded to the Superintendent of Police

(*b*) The petitions were received at the thana and forwarded in the ordinary course to the office of the Superintendent of Police.

(*c*) Hari Das was under the doctor's treatment at the guest-house from the 6th till the 9th July; no reports regarding his health or any complaints regarding an allowance have been received from the police officers who visited him after that date The doctor who attended him stated that Hari Das had expressed gratitude for the kind treatment he had received at the hands of the police.

(*d*) Hari Das had fever from the 1st July, he was at the guest house from the 6th to the evening of the 9th idem, and was under treatment for four days after this.

(*e*) The District Magistrate arrived at his conclusions on the basis of the evidence recorded, including that of the doctor who attended Hari Das"

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

XII. Will the Government be pleased to say whether they are considering the advisability of modifying or relaxing the rules and practices now in force regarding détenus in general and as regards student détenus in particular so as to admit of their prosecuting their studies in schools or colleges, wherever practicable? Détenus and their studies.

Answer by the Hon'ble MR. KERR :—

"The answer is in the negative."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

XIII. (*a*) Is it a fact that one Surendra Nath Kar, a student of the 3rd year class of the Calcutta Presidency College and an inhabitant of Bistoopur, in the district of Bankura, was interned under the Defence of India Act and domiciled in Crow Island? A détenu's suicide.

(*b*) If so, is it true that this Surendra Nath Kar while under detention committed suicide?

(*c*) If this be true, will the Government be pleased to make a full statement about the facts and circumstances of this case?

Answer by the Hon'ble MR. KERR :—

" (*a*), (*b*) and (*c*) The answer is in the affirmative. Full details of this case have already been given, *vide* the answers to Council question XXXIX asked by the Hon'ble Babu Bhabendra Chandra Ray at the meeting of the Council held on the 4th September, 1917."

By the Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY :—

Bakr-Id in Telinipara.

XIV. (*a*) Will the Government be pleased to state whether the District Magistrate of Hooghly has placed certain restrictions on the Musalmans of Telinipara in respect of *Qurbani* on the occasion of the *Bakr-Id*?

(*b*) If so, will the Government be pleased to state what the restrictions are and note the reasons for such restrictions?

Answer by the Hon'ble MR. KERR :—

" (*a*) and (*b*) No new restrictions were imposed on the Muhammadans of Telinipara in respect of the *Bakr-Id* this year. *Qurbani* was first allowed at Telinipara in 1912 with permission to kill two cows, and this number was doubled in 1916. The Hindus, however, objected to an increased number of cows being killed and to beef being landed at the Telinipara Ghat, where there is a temple. The District Magistrate of Hooghly thereupon interviewed the representatives of both parties. It was stated at the interview that the Muhammadans agreed to land beef at the next ghat further down the river which is almost as convenient, and that the Hindus would in that case have no cause for complaint. The District Magistrate accordingly passed orders that beef should in future be landed at the next ghat further down the river."

By the Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI :—

Ministerial staff of the Malda Collectorate.

XV. (*a*) Will the Government be pleased to state whether a vacancy recently occurred in the Forms Department, Malda Collectorate, to which one Purna Chandra Mazumdar, a probationer, was appointed in preference to another paid probationer, one Samiruddin Mohamed?

(*b*) Is it a fact that both these candidates were appointed on the same day as probationers?

(*c*) Is it a fact that Samiruddin had passed the Entrance examination and the other candidate had not?

(*d*) Is it a fact that Samiruddin belongs to the district and the other candidate does not?

(*e*) Will the Government be pleased to state the reasons that led to the appointment of a Hindu candidate in preference to the Muhammadan candidate?

(*f*) Is it a fact that there is a standing Government circular laying down that Muhammadans shall be appointed in Government offices till their number reaches at least one-third of the total number of appointments in such offices?

Answer by the Hon'ble MR. KERR :—

" (*a*), (*b*), (*c*) and (*d*) The answers are in the affirmative.

(*e*) As Purna Chandra Mazumdar was senior in the register of probationers and had worked to the satisfaction of his superior officers, he was appointed to the vacancy.

(*f*) Government have from time to time issued circulars regarding the employment of Muhammadans in mufassal offices: it is not intended that Muhammadans should be appointed to all vacancies in each office until their number reaches at least one-third of the total number of appointments therein, but that that proportion should be worked up to gradually by reserving for Muhammadans at least that proportion of vacancies as they occur, provided suitable Muhammadan candidates can be found."

By the Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI :—

XVI. (*a*) Will the Government be pleased to state whether it is correct that Babu Rajendra Nath Gupta, Sub-Deputy Collector and Magistrate of Kandi, Murshidabad, dismissed the case of a Muhammadan party who went to say his *Jumma* (Friday) prayers after having approached the Sub-Deputy Magistrate, with the mukhtears, with a request for leave on the 14th September 1917? Conduct of a Sub-Deputy Magistrate.

(*b*) Is it a fact that the Sub-Deputy Collector came to Court on that day at 12-30 P.M., and that he dismissed the case at 1 P.M.?

(*c*) Will the Government be pleased to state what steps they are taking in the matter?

Answer by the Hon'ble MR KERR :—

"(*a*) It is a fact that Babu Rajendra Nath Gupta dismissed the petition of complaint of a Muhammadan while he was absent saying his *Jumma* prayers, but it does not appear that the latter or his mukhtear on his behalf had applied to the Magistrate for leave.

(*b*) The Magistrate came to court at about 12 15 P.M. on that day and dismissed the case shortly afterwards.

(*c*) The case has been revived and is being disposed of on its merits. Government do not propose to take any further action in the matter."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XVII. Will the Government be pleased to state how many applications or other representations have been made by détenus or their relations up to date with regard to the non-payment or inadequacy of maintenance allowances, and what action has been taken thereon? Allowances of détenus

Answer by the Hon'ble MR. KERR :—

"The collection of the information asked for would involve an additional burden on already overworked officers, and Government do not think that the public utility of the information when obtained would be commensurate with the labour entailed."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XVIII. (*a*) In how many instances have the Government received complaints regarding the unsuitability of the places of domicile of détenus, and what inquiries have been made with regard thereto, and with what result? Places of domicile of détenus.

(*b*) What is usually the nature of the complaints?

(*c*) In how many instances have the places of domicile been described as—

(*i*) malarious,
(*ii*) desolate,
(*iii*) infested with snakes,
(*iv*) unusually damp, or
(*v*) jungly?

And what steps have been taken by the Government in each such case?

Answer by the Hon'ble MR. KERR :—

"The Hon'ble Member is referred to the answer given to question XVII."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Illness of détenus.

XIX. (*a*) What are the rules for affording medical treatment and nursing to détenus who may fall ill?

(*b*) Is it a fact that the détenus have to bear the cost of medicines out of their maintenance allowance?

Answer by the Hon'ble MR. KERR :—

"(*a*) Détenus receive facilities for obtaining medical advice, so far as possible, similar to those which would have been open to them had they not been under detention In cases of mild illness facilities are given for attendance at the nearest dispensary; when indoor treatment is required the détenu is transferred to the nearest hospital, and when he is unable to be moved facilities are given for calling in the nearest medical man.

(*b*) The détenu has to pay for medicines in the same way as other members of the public, and the cost is treated as part of his necessary expenditure."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Allowances of détenus.

XX. (*a*) With reference to the reply given to my unstarred question No. XXXVIII asked at the meeting of the Council held on the 4th September last, will the Government be pleased to explain the arrangement by which détenus are required to obtain advances from Superintendents and Sub-Inspectors of Police in order to maintain themselves pending the granting of any allowance by the higher authorities?

(*b*) Is any inquiry made by the police, as a rule, at the time when a détenu arrives at the place of his enforced domicile, as to the sufficiency of the funds at his disposal, and do the local police thereupon make themselves responsible for providing his necessaries of life, in case of any insufficiency of the détenu's resources, till adequate financial aid arrives either from the higher authorities or from the détenu's own people?

(*c*) Are such advances, as indicated in the reply to the said unstarred question, made by the police out of any special funds placed at their disposal for such purpose?

(*d*) Is any report submitted to the higher authorities by the local police informing them of the financial position of the détenu and of the advances that he has been given? If so, when was any such report submitted in the case of Hari Das Das, and to whom?

(*e*) Is any report or communication of any kind required to be submitted by the local police relating to any détenu who may be domiciled within their jurisdiction? If so, what particulars are required to be included in such reports?

Answer by the Hon'ble MR. KERR :—

" (*a*) and (*b*) Government do not undertake to give maintenance allowances except in cases where the relatives of the détenu are unable to support him in his place of internment and the détenu has no means of his own. In such cases it is open to the détenu to petition the Magistrate of the district in which he is interned, who is authorised after such inquiry as he thinks fit to grant such allowances as may be suitable in the circumstances of the case. The payment of this allowance is reported to Government for formal sanction. Should it be necessary in any case, pending the grant of an allowance, the thana police make such advances as are required

(*c*) The answer is in the negative.

(*d*) The Hon'ble Member is referred to the answer given to (*a*) and (*b*). Hari Das Das did not submit any petition for the grant of a maintenance allowance.

(*e*) The Superintendent of Police is in charge of the détenus in his district, and the local police submit to him such reports as he desires."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXI. Will the Government be pleased to lay on the table all reports or communications that may have been received by the Additional Secretary to the Government and the Superintendent of Police, Rajshahi, or any other authorities, relating to Hari Das Das after the 12th of June last, noting the steps taken thereon? Suicide of a detenu

Answer by the Hon'ble MR. KERR :—

" Government do not consider it desirable to lay on the table such reports or communications."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXII. Will the Government be pleased to place on the table all letters, petitions or communications that may have been addressed by Hari Das Das, from time to time, either to the Additional Secretary or to the local police or to any other authorities, together with all replies thereto? Letters, etc., of a deceased detenu

Answer by the Hon'ble MR. KERR :—

" The Hon'ble Member is referred to the answer given to question XXI "

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXIII. (*a*) Are the Government in a position to explain the delay in the receipt of each of the four petitions referred to in the reply to unstarred question No. XXXVIII, asked at the meeting of Council on the 4th September last? Allowances to detenus.

(*b*) Will the Government be pleased to explain in the light of the reply to the aforesaid unstarred question the exact procedure to be followed by a détenu for the purpose of obtaining an allowance, and state the different stages through which an application for an allowance has to pass before it reaches the Additional Secretary?

(*c*) What is the average time taken by an application for an allowance reach the Additional Secretary; and what is, approximately, the period whic generally elapses between the date of the détenu's application for an allowan and the date on which the first payment thereof actually reaches him?

Answer by the Hon'ble MR. KERR :—

" (*a*) The Hon'ble Member is referred to the answer given to questic XI asked by the Hon'ble Babu Ambika Charan Mazumdar.

(*b*) The Hon'ble Member is referred to the answer given to question X

(*c*) No answer to this question is possible."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Case of a deceased détenu.

XXIV. (*a*) With reference to the answer to clause (*e*) of the questic No. XXXVIII asked on the 4th September last, referring to the visits pai to Hari Das Das by a Head Constable on the 4th, 5th and 6th July, will tl Government be pleased to explain the reason why Hari Das Das had to wa a mile from his place of domicile to the thana on the 6th July to report th he had fever?

(*b*) In what condition did the Head Constable find him on these thr days of his visit to the détenu?

(*c*) Why was not the détenu admitted into any hospital as requested b him?

Answer by the Hon'ble MR. KERR :—

" Hari Das Das was visited by the doctor at his own domicile twice dai on the 4th and 5th July, and on the 6th July he came into Puthia and w accommodated in the guest-house for indoor treatment under the doctor."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Police action on a détenu's suicide.

XXV. (*a*) What reports were made by the Head Constable and tl Sub-Inspector who visited Hari Das Das on the 17th and 18th July respec tively as to the state of health and of mind in which they found him o those dates; and what was the conversation they had with him on thos occasions?

(*b*) Did these officers satisfy themselves on those occasions that Hari Da had an adequate supply of articles of food or sufficient funds at h disposal?

(*c*) On what date did Hari Das return from Puthia guest-house to hi domicile, after recovery from fever; and on what date was the petitio addressed to the Superintendent of Police asking for an advance of mone and mentioning the fever?

(*d*) On the date Hari Das returned from Puthia guest-house, did h mention to the police anything about his insufficiency of funds; or did th police make any inquiry as to the funds at his disposal before sendin him away to his place of domicile on that day?

(*e*) What happened to the petition to the Police Superintendent askin for an advance of money, between the date when it was addressed and th date on which it was received by the Superintendent?

(*f*) Did this petition pass through the hands of the police at Puthia thana at any stage; if so, when; and what inquiries were thereupon made by the Puthia police as to the nature of the resources then at the disposal of the détenu, and with what result?

Answer by the Hon'ble MR. KERR:—

"(*a*) and (*b*) Government have no information on these points No unfavourable reports were ever received from these officers

(*c*) Hari Das returned to his domicile on the evening of the 9th July, the petition asking for an advance and mentioning the fever was dated the 14th and reached the Puthia thana on the 17th

(*d*) Hari Das Das was given two advances by the police, and his servant undertook to cater for him if the Inspector guaranteed payment; this was done.

(*e*) and (*f*) The Hon'ble Member is referred to the answer given to question XI (*a*) and (*b*)."

By the Hon'ble BABU BHABENDRA CHANDRA RAY:—

Allowances of a deceased detenu.

XXVI. (*a*) What were the educational qualifications of Hari Das Das and the salary drawn by him as Second Master of the Malda School prior to his detention?

(*b*) Was any servant or cook allowed him during his detention? If not, why not?

(*c*) When the Superintendent of Police made an advance of Rs 10 to him, how many days' expenses was this amount intended to cover?

(*d*) When was the second advance (Rs. 5) applied for and received, and what representations were made by Hari Das when applying for the same?

(*e*) For how many days did the local police expect the two allowances of Rs. 10 and 5, respectively, to last Hari Das?

(*f*) What are the average monthly earnings and expenses, respectively, of a common day labourer in the district of Rajshahi?

Answer by the Hon'ble MR. KERR:—

"(*a*) Hari Das had passed the Entrance Examination. Government are not aware of the salary he drew at the Malda School.

(*b*) Hari Das Das employed a servant.

(*c*), (*d*) and (*e*) Government are unable to answer these questions

(*f*) The Hon'ble Member is referred to the official publication entitled 'Prices and Wages in India, 1917.'"

By the Hon'ble BABU BHABENDRA CHANDRA RAY:—

Medical opinion on a détenu's suicide.

XXVII. (*a*) With regard to the District Magistrate's "finding" that the suicide of Hari Das Das was "probably" the result of the depression after fever, will the Government be pleased to state whether the District Magistrate conducted the inquiry into the suicide with the help of any competent medical man?

(*b*) Have the Government been pleased to ascertain authoritativ medical opinion as to whether the depression after five days of recover from a short attack of " simple malarial fever with no complications " woul be sufficient to induce a man to take his life ?

(*c*) Will the Government be pleased to lay on the table the report of th District Magistrate with all enclosures and connected papers ?

Answer by the Hon'ble MR. KERR :—

" (*a*) The Hon'ble Member is referred to the answer given to questio XI (*e*).

(*b*) Government do not consider it necessary to make further inquir as suggested.

(*c*) The Hon'ble Member is referred to the answer to question XXI."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Non-cremation of a deceased détenu's body.

XXVIII. (*a*) With reference to the statement made by Government tha the remains of Hari Das Das were " consigned to the Ganges as his cast men were not willing to cremate the body, " will the Government be please to state the names of those people who were requested to do the last rites t Hari Das Das and refused, and by whom, where and when were they requeste in that behalf ?

(*b*) What caste did Hari Das Das belong to and what is approximatel the number of the adult male population of this caste within the jurisdi tion of the Puthia thana ?

(*c*) By whom, where, at what time, and in whose presence were th remains of Hari Das Das consigned to the Ganges ?

Answer by the Hon'ble MR. KERR :—

" (*a*) Government have no information.

(*b*) Hari Das is reported to be a Mahesya by caste; Government have n information regarding the number of Mahesyas in the Puthia thana.

(*c*) The remains were consigned to the Ganges by the same persons a brought the body for the *post-mortem* examination; Government have no in formation as to the other details asked for."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Cause of a détenu's suicide.

XXIX. (*a*) Are the Government aware of the general feeling that exists that Hari Das Das was driven to commit suicide by starvation ?

(*b*) Is it a fact that he left a note to this effect in writing which was taken away by the police after his death ?

Answer by the Hon'ble MR. KERR :—

" (*a*) Government are not aware of the existence of any such feeling, for which there is no foundation.

(*b*) The Hon'ble Member is referred to the answer given to question No. XXXVIII (*f*) asked by the Hon'ble Member at the meeting held on 4th September last."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXX. (*a*) Is it a fact that one Sachindra Chandra Das Gupta, who was for some time a détenu at Rangpur, recently committed suicide? Suicide of detenu Sachindra Chandra Das Gupta.

(*b*) If so, will the Government be pleased to state the dates and places of his first arrest and subsequent detention?

(*c*) When was he released from detention, and on what conditions?

Answer by the Hon'ble MR KERR :—

" (*a*) The answer is in the affirmative.

(*b*) Sachindra Das Gupta was arrested in Calcutta on the 24th August, 1916; on the 23rd September, 1916, an order was passed domiciling him with his father.

(*c*) The order of internment was cancelled on the 19th December, 1916, on his executing an agreement (*a*) not to associate with any political movement, (*b*) not to knowingly associate with any suspicious characters, and (*c*) to remain loyal."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXXI. (*a*) What was the information on the basis of which Sachindra Chandra Das Gupta was dealt with under the Defence of India Rules, and what were the reasons for his subsequent release? Suicide of Sachindra Chandra Das Gupta

(*b*) Is it a fact that the charge against him was not of a serious character or had not been substantiated?

Answer by the Hon'ble MR. KERR :—

" (*a*) Government do not consider it in the public interest to give the information which formed the basis of the action taken against Sachindra Das He was released when Government considered that his freedom from restrictions, upon the undertaking he gave, was compatible with the public safety.

(*b*) The answer is in the negative."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXXII. (*a*) Is it a fact that Sachindra Chandra Das Gupta had a distinguished career as a student, and was reading for the B A when he was arrested? Détenus and police surveillance.

(*b*) Is it a fact that he addressed a petition to the Additional Secretary to the Government for permission to resume his studies at the local college after his release?

(*c*) If so, will the Government be pleased to lay on the table the said and any other connected petitions, addressed either to the local executive and educational authorities, or to the higher officials, in this connection, together with all reports, notes and replies by the said authorities, in chronological order?

(*d*) With reference to the statement in the official *communiqué* issued in this connection, that the young man was not allowed to study in the Rangpur College as " in the interests of discipline it was inexpedient that

the deceased should enter the college," will the Government be pleased to state the nature of the information on which this order was based?

(*e*) Is it a fact that the District Magistrate of Rangpur and President of the college had informed the young man that he had no objection to admit him if the Additional Secretary had none?

(*f*) Will the Government be pleased to state what inquiry was made, and by what authorities, before the official *communiqué* was issued?

(*g*) On the authority of what inquiry and report has the statement been made therein to the effect that no police surveillance was ordered and that there was no surveillance either by the local police or by the special police?

Answer by the Hon'ble MR. KERR:—

"(*a*) Sachindra was reading for the B.A when he was arrested

(*b*) The answer is in the affirmative.

(*c*) The Hon'ble Member is referred to the answer given to question XXI.

(*d*) Government do not consider it in the public interest to disclose the nature of the information against Sachindra in their possession.

(*e*) There is a statement to that effect on the petition of Sachindra to the Additional Secretary.

(*f*) and (*g*) The inquiry was made by Government from all the authorities concerned."

By the Hon'ble BABU BHABENDRA CHANDRA RAY:—

Restrictions on a détenu's movements.

XXXIII. (*a*) Are the Government aware that Sachindra Chandra Das Gupta was prohibited from taking part in any game with boys of his age, and was directed by the C. I. D. officers not to attend the local public library and not to talk to any young man except the members of his family?

(*b*) Will the Government be pleased to lay on the table the letters which were addressed by the young man to the District Magistrate and a C. I. D. officer at the time of his committing suicide?

(*c*) How do the Government account for the allegations as regards surveillance contained therein?

(*d*) What are the circumstances that determine as to whether there should be surveillance or not in connection with a détenu after his release, and who are the authorities that usually pass orders in that behalf?

(*e*) Will the Government be pleased to state the names of the individual officials who would have been competent to pass an order of surveillance in the case of Sachindra Chandra Das Gupta, and are they considering the desirability of obtaining a statement in writing from each of them regarding the part taken by him in the present instance?

Answer by the Hon'ble MR. KERR:—

"(*a*) Government have learnt that the father of Sachindra directed him not to take part in games with other boys or to attend the local public library. The C.I.D. and the local police had nothing whatever to do with any such direction.

(*b*) The Hon'ble Member is referred to the answer given to question XXI.

(*c*) The Hon'ble Member is referred to the answer given to question VIII (*c*).

(*d*) and (*e*) There is no surveillance over a détenu after the order of internment has been cancelled, except to the extent that any conditions specifically attached to the order of cancellation must be obeyed."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXXIV. (*a*) In how many and what proportion of instances in which détenus have been released, has there been no order for surveillance? Released détenu and police surveillance.

(*b*) Will the Government be pleased to give the names and present addresses of such détenus?

(*c*) Is surveillance the general rule or an exception in the case of released détenus?

(*d*) Did the matter of Sachindra Chandra Das Gupta ever come up for consideration before the police authorities as to whether there should or should not be an order for surveillance?

(*e*) If so, will the Government be pleased to lay on the table all papers in that connection?

Answer by the Hon'ble MR. KERR :—

"The Hon'ble Member is referred to the answer given to question XXXIII (*d*) and (*e*)."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXXV. (*a*) Has the attention of Government been drawn to question No. 4 of the Imperial Council meeting dated the 5th September last, and the reply of Sir William Vincent thereto? Proposed tribunal for internment cases.

(*b*) Will the Government be pleased to state whether they have been consulted by the Imperial Government regarding the necessity for appointing tribunals or committees for the examination of internment cases? And, if so, what are the intentions of Government in the matter?

Answer by the Hon'ble MR. KERR :—

"(*a*) The answer is in the affirmative.

(*b*) The matter has been the subject of correspondence with the Imperial Government; any decision arrived at will be made known in due course."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXXVI. (*a*) Will the Government be pleased to make a statement giving— Deposits demanded under the Press Act.

(*i*) all the instances since 1910 in which deposits were demanded under sections 3 (*1*) and 8 (*1*), respectively, of the Press Act, noting the amount of deposit in each case: and

(*ii*) those cases in which such deposits were dispensed with under the provisos to sections 3 (*1*) and 8 (*1*), respectively, noting the special reasons recorded by the Magistrate in each case as required under the said provisos?

(*b*) In how many and which of the instances under (*i*) and (*ii*) of the foregoing question was the deposit either demanded or dispensed with, on the declaration under the Press and Registration Act having been necessitated by the death of the previously registered keeper of the press or publisher of a newspaper?

Answer by the Hon'ble MR. KERR :—

" (*a*) and (*b*) Statements which furnish the required information are laid on the table."*

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Police officers and public meetings.

XXXVII. (*a*) Are the Government aware that in a public meeting held on the 27th October, 1917, in the Town Hall of Comilla, to consider what steps should be taken to welcome the Right Hon'ble Mr. Montagu and to submit such petition to him as is mentioned in the press *communiqué* issued by the Government some police officers were present?

(*b*) Did these officers attend as private citizens or in their capacity as police officers?

(*c*) If they attended as police officers, did they do so of their own accord or under the orders of superior officers?

(*d*) Did they apprehend any breach of the peace? If so, did they adopt any precautionary measures beyond their personal presence?

(*e*) Is it a fact that the organizers of the meeting held the same in the Town Hall with the permission of the District Magistrate?

(*f*) Is there any circular or order of the Government or of the police department directing police officers to attend, watch and report the proceedings of all public meetings irrespective of any apprehension of breach of the peace?

(*g*) Do police officers as a matter of fact invariably attend all public meetings for such purposes?

(*h*) Will the Government be pleased to lay on the table all orders and instructions of the Government or the police department with respect to the conduct and duty of police officers in connection with public meetings?

Answer by the Hon'ble MR. KERR :—

" (*a*) Yes.

(*b*) They attended in their capacity as police officers.

(*c*) They received orders from their superior officers to attend the meeting.

(*d*) No breach of the peace was apprehended, nor were any precautionary measures adopted.

(*e*) Yes.

(*f*) No.

(*g*) No.

(*h*) The instructions are confidential and Government are not prepared to lay them on the table."

* Not included in these Proceedings.

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

XXXVIII. (*a*) Is there any order of the Government or the police department directing police officers to watch the movements of Babu Krishna Kumar Mitra, Editor of the *Sanjibani*? Editor of *Sanjibani* and his visit to Comilla

(*b*) Are the Government aware that on the occasion of his visit to Comilla on the 27th October last the local police watched his movements and inquired about his arrival and departure?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*b*). Government do not consider it desirable to publish information as to whether any particular person is under police surveillance or not. So far as they are aware, no surveillance was exercised on the particular occasion referred to."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

XXXIX. (*a*) With reference to paragraph 3 of letter No. 380 C., dated the 25th January, 1917, addressed by the Home Department of the Government of India and laid on the table in this Council in answer to unstarred question No. VII of the meeting of the 7th August, 1917, relating to the procedure to be adopted in connection with the consideration of the Report of the Public Services Commission, will the Government be pleased to say whether they have received from the Government of India the provisional conclusions formed by the letter regarding the Commission's recommendations involving general principles and of general application, and whether the Local Government have formulated their views thereon? Report of the Public Services Commission

(*b*) If so, will the Government be pleased to lay on the table the aforementioned provisional conclusions and the views formulated by the Local Government thereon?

(*c*) What steps, if any, have been or are being taken in accordance with paragraphs 4 and 5 of the said letter?

(*d*) Have the Local Government received from the Government of India their tentative views on the Commission's detailed recommendations?

(*e*) Has any officer been appointed by the Local Government in accordance with paragraph 5 of the said letter to represent them in the conferences mentioned therein? If so, will the Government be pleased to state the name of the officer?

Answer by the Hon'ble MR. KERR :—

"Neither the provisional conclusions nor the tentative views of the Government of India have as yet been received, and the other points raised do not necessarily arise."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

XL. Are the Government aware that police officers in many parts of Bengal are asking people to declare themselves opposed to the introduction of responsible Government and asking them not to sign and submit any memorial to the Right Hon'ble Mr. Montagu praying for the same? Police officers and Mr. Montagu's visit.

Answer by the Hon'ble MR. KERR :—

"So far as Government are aware, the allegation made is unfounded."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Attitude of police officers regarding Mr. Montagu's visit.

XLI. (*a*) Have the Government or the Police Department issued any circular or instruction indicating what should be the duty and attitude of the police officers with respect to the submission of memorials to Mr. Montagu and generally with respect to the movement for constitutional reforms?

(*b*) If so, will the Government be pleased to lay the same on the table?

Answer by the Hon'ble MR. KERR :—

"(*a*) Under the Government Servants' Conduct Rules Government servants are enjoined not to take part in any political movement. Apart from this general rule, no special instructions have been issued either by Government or by the Police Department regarding the attitude of police officers on the subjects mentioned in the question. In so far as the movement is of political importance reports are received, in the usual course, regarding its character and progress.

(*b*) In view of the reply to the foregoing question, it is neither necessary nor desirable to lay any papers on the table."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Erosion at Noakhali

XLII. (*a*) Will the Government be pleased to state whether any effective steps have been taken by them for arresting the erosion of the river at Noakhali?

(*b*) Has any inquiry been caused to be made by any river-expert to ascertain whether the said erosion is preventable? If so, will the Government be pleased to lay on the table the report of such inquiry?

(*c*) If no such inquiry has been made, have the Government considered the advisability of instituting such an inquiry before deciding upon the removal of the headquarters of the Noakhali district, either permanent or temporary?

(*d*) Is it a fact that the people of Noakhali have asked for such an inquiry? If so, what orders have the Government been pleased to pass in the matter?

Answer by the Hon'ble MR. COWLEY :—

(*a*), (*b*), (*c*) and (*d*). The erosion of the sea coast along the south of Noakhali district is not confined to the river at Noakhali town; the problem of arresting the erosion is a problem of great magnitude for the effective solution of which no satisfactory proposal has been put forward.

As stated in the reply to the Hon'ble Babu Arun Chandra Singha, at the Council meeting of 13th December, 1916, any diversion of the river for the purpose of protecting the existing town of Noakhali has been found impossible.

Not merely one inquiry but numerous inquiries and observations have been made regarding the coast erosion at Noakhali by engineers and others with expert experience. At present there is no self-contained report suitable for presentation to the Council.

The attitude of Government in the matter is to be prepared in time, in case the forces of nature compel the abandonment of the present site; but, as already stated, inquiries hitherto made indicate the hopelessness of contending with nature for the purpose of stopping the erosion. Government have received no request for the specific inquiry suggested, but have on several occasions been requested to stop the erosion."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

XLIII. (*a*) Is it a fact that the people of Noakhali have expressed their desire and readiness to contribute towards the cost of any preventive measure which the Government may decide to adopt for arresting the erosion to save the town of Noakhali? Noakhali people and the erosion

(*b*) Have the Government taken into consideration the fact that the cost of the inquiry indicated in question XLII will be nominal compared with the cost of temporary removal?

Answer by the Hon'ble MR. COWLEY :—

"(*a*) No communication on the subject has been received by Government

(*b*) Government have taken all the circumstances into consideration."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

XLIV. (*a*) Are the Government aware that certain "Khas Mahals" in pargana Bardakhat in the district of Tippera, which were settled with proprietors on the basis of record-of-rights prepared under the Bengal Tenancy Act for a term of 30 years, have again been surveyed? Re-survey of certain *khas mahal* lands.

(*b*) Are the Government aware of the opinion that has been expressed that the record-of-rights which will now be prepared on the new survey will be of no value, as it will not be binding either on the proprietors or on the tenants until the expiry of the present settlement, which will as a matter of fact continue for over 12 years in view of the provisions of Bengal Regulation VII of 1822 and the terms of the kabuliyat executed by the proprietor according to the prescribed form?

(*c*) Is it in the contemplation of the Government to levy the cost of the survey and settlement operations from the proprietors or tenants?

(*d*) Have the Government considered in this connection that—

(*i*) the proprietors or tenants were not liable for the costs of the last settlement operations, and

(*ii*) they will not derive any benefit by the operations?

Answer by the Hon'ble MR. KERR :—

"(*a*) Government have ascertained that no recommendation has been made for the omission of any such estate from the district survey and settlement. Such petty estates are only omitted from the district operations if a previous record under the Bengal Tenancy Act has been recently prepared, and if the previous survey is sufficiently satisfactory, to make it suitable for incorporation in the general operations.

(*b*) The answer is in the negative.

(*c*) The answer is in the affirmative as regards cases in which land revenue is not about to be revised on the basis of the present operations and in the negative as regards cases in which land revenue is about to be so revised.

(*d*) Government have considered the general question involved both from the point of view of the landlords and tenants and from the point of view of the general tax-payer. Government do not agree that the landlords and tenants will not derive any benefit from the operations."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

List of detenus.

XLV. (*a*) Will the Government be pleased to lay on the table a complete list of all the people who have been interned in Bengal, under the Defence of India Act, stating—

(*i*) their names and their fathers' names,

(*ii*) their place of ordinary residence;

(*iii*) their place of domicile;

(*iv*) their age;

(*v*) their occupation and employment at the date of their internment, and

(*vi*) the amount of allowance granted to them and their families?

(*b*) Is it a fact that before internment the détenus are kept in some jails in solitary confinement for some time?

(*c*) If so, for what purpose are they so kept?

(*d*) Under what law are they so kept?

(*e*) Are they during this period treated as ordinary prisoners? If not how are they treated?

(*f*) When a détenu is sent to his place of domicile, is he supplied with clothing, bedding and sufficient cash to purchase necessaries?

(*g*) In domiciling a man to a particular place is it ascertained beforehand—

(*i*) whether the place is free from malaria and other insanitary condition; and

(*ii*) whether proper and prompt medical aid is available?

(*h*) What are the maximum and minimum allowances granted to the détenus, and what are the considerations by which these amounts are determined?

(*i*) Are there any non-official visitors appointed to see whether the houses of the détenus are rain-proof, dry, lighted and ventilated?

(*j*) Whose duty is it to look into these things?

(*k*) Is it a fact that when a détenu falls ill, the practice is to send him to a hospital, and that before doing so the police officer has to obtain the permission of the Government and has to wait till that sanction is granted and communicated to him?

Answer by the Hon'ble MR. KERR :—

" (*a*) Government are not prepared to lay on the table the list suggested

(*b*), (*c*) and (*d*) Under rule 12 A of the Defence of India (Consolidation) Rules certain officers are empowered to arrest any person against whom a reasonable suspicion exists that he has acted, is acting, or is about to act, with intent to assist the King's enemies, or in a manner prejudicial to the public safety, and to commit them to such custody as the Local Government

may direct pending the orders of Government: such detention may not last more than a month in all and not more than 15 days without the order of the Local Government. Under the instructions of Government such détenus are detained in jail.

(*e*) They are treated as ordinary under-trial prisoners, but in matters of discipline are treated as civil prisoners.

(*f*) The Hon'ble Member is referred to the answer to question XX (*a*) and (*b*).

(*g*) Places suitable for domicile are selected by the Superintendent of Police in each district, and the list of such domiciles is consulted when orders of internment are passed.

(*h*) The Hon'ble Member is referred to the answer to question XX (*a*) and (*b*).

(*i*) The answer is in the negative.

(*j*) The duty of supervising the détenus and providing them with suitable accommodation rests with the Superintendent of Police.

(*k*) The Hon'ble Member is referred to the answer to question XIX (*a*), when a détenu is transferred to a hospital it is necessary to temporarily alter the internment order for which Government sanction is required, but the police are authorized to obtain sanction by telegraph, and in cases of urgency to act in anticipation of sanction."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR:

XLVI. (*a*) Will the Government be pleased to lay on the table a full description of the sluice in the Damodar left embankment in the mauza of Gazipur (bearing revenue survey No. 2228, volume III, sheet No. 81) within the jurisdiction of Amta thana in the Howrah district containing among other things the following particulars:— Damodar embankment.

(*i*) reduced level of floor of the sluice,

(*ii*) number of vents,

(*iii*) size of vent,

(*iv*) kind of shutters in use, and

(*v*) the approximate area actually drained?

(*b*) Is it a fact that Sonamukhi, an adjoining mauza, is also drained by the same sluice?

(*c*) What is the total cultivated area in both the mauzas of Sonamukhi and Gazipur?

(*d*) Is it a fact that the major portion of the aforesaid mauzas remain under deep water even up to January and that great damage is done to crops every year owing to the narrowness of the passage for the rain water through the above sluice?

(*e*) If so, will the Government be pleased to state what steps they are taking to remedy the grievance?

Answer by the Hon'ble MR. COWLEY:—

"(*a*) The sluice referred to is in mile 80 of the Damodar left embankment, schedule D, No. 32.

(*i*) The reduced level of the floor is 7·47 M.S.L.

(*vi*) Number of vents, 1.

(*vii*) Size of vent, 2′ × 4′ 3″.

(*viii*) Shutter in use is of wood with screw lifting arrangement.

(*ix*) The area benefited is approximately 1½ square miles.

(*b*) The village of Sonamukhi is occasionally also drained through this sluice; but the drainage of this village is usually effected by the Udong sluice.

(*c*) The total cultivated area in the village of Sonamukhi is approximately 1,000 bighas, and that in the village of Gazipur is approximately 1,500 bighas.

(*d*) No records are available to show what areas in the aforesaid villages remain under water up to January in any year. The reduced levels of the fields in the village of Gazipur vary between 8 and 9·0 M.S.L., while the levels of the fields in the adjoining villages vary between 7 and 8·00 M.S.L. It does not appear that any damage to crops is done except in years of excessive rainfall.

(*e*) The area in question forms a part of the lower reaches of the Amta drainage basin; and when the scheme for that basin has been completed the possibility of damage to crops even in years of excessive rainfall will, it is expected, be removed."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Embankments in the South Western Circle.

XLVII. Will the Government be pleased to lay on the table a copy of the list of sluices in Schedule D embankments in the South-Western Circle?

Answer by the Hon'ble MR. COWLEY :—

" The information desired by the Hon'ble Member will be found in pages 161—173 of the Bengal Government publication 'A Hand-book of Rules for the South-Western Circle' and on pages 74—78 of a publication entitled 'Supplementary Hand-book Containing Rules for the Balasore Division.' "

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Working of embankment sluices.

XLVIII. Will the Government be pleased to lay on the table a copy of the revised rules for the working of embankment sluices in the South-Western Circle issued by the engineers and approved by the Collectors of the districts of Hooghly, Burdwan, Midnapore, 24-Parganas and Murshidabad?

Answer by the Hon'ble MR. COWLEY :—

" The information desired by the Hon'ble Member will be found on page 155 of the Bengal Government publication entitled 'A Hand-book of Rules for the South-Western Circle.' "

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Application of the Bengal Embankment Act.

XLIX. Will the Government be pleased to lay on the table a copy of the list of rivers and khals to which the provisions of section 76 (*b*) of the Bengal Embankment Act, 1882, have been applied by notification under section 6 of that Act?

Answer by the Hon'ble MR. COWLEY :—

" The information desired by the Hon'ble Member will be found in the *Calcutta Gazette* notifications specified in the statement, a copy of which is placed on the table."

Statement of Notifications declaring khals and rivers in the Presidency of Bengal under section 76 (b) of the Embankment Act, referred to in the answer by the Hon'ble MR. COWLEY *to question No. XLIX (unstarred) asked by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR, *at the Council meeting on the 20th November, 1917.*

Notification No	Dated	Calcutta Gazette	
		Date	Pages
366	29-10-1883	31-10-1883	892-93
367	29-10-1883	31-10-1883	893
368	29-10-1883	31-10-1883	894
134	16-5-1893	17-5-1893	445
177	15-8-1899	16-8-1899	1085
77	11-3-1901	13-3-1901	303-04*
78	11-3-1901	13-3-1901	305
79	11-3-1901	13-3-1901	305-07
80	11-3-1901	13-3-1901	307
81	11-3-1901	13-3-1901	308
15	5-6-1905	7-6-1905	1020
9	26-9-1908	30-9-1908	1619
6	17-5-1909	19-5-1909	708
25	20-9-1910	21-9-1910	1311
3	1-5-1911	3-5-1911	670
17-1	20-1-1912	*Eastern Bengal and Assam Gazette of* 24-1-1912	197
5	9-3-1912	13-3-1912	505
3	19-5-1914	20-5-1914	948
2	23-2-1915	24-2-1915	320
11	10-8-1915	11-8-1915	1373
10	18-4-1916	19-4-1916	792-93
11	18-4-1916	19-4-1916	793
12	18-4-1916	19-4-1916	791
6	17-9-1917	19-9-1917	1514

* Except Balasore district

By the Hon'ble MAULVI ABUL KASEM :—

L. (*a*) Will the Government be pleased to state the names of all officiating Munsiffs working in October last and of those who were relieved of their duties on the 13th October last? Case of o Munsiffs.

(*b*) Will the Government be pleased to state for what period each of them officiated as a Munsiff without a break before the 13th October, 1917?

(*c*) Will the Government be pleased to state which and how many of them have been appointed to act as Munsiffs with effect from the 19th November, 1917?

(*d*) Will the Government be pleased to state which and how many of them have been appointed to the same station from which they were relieved on the 13th October?

(*e*) Will the Government be pleased to state the number of vacancies existing in the last grade of Munsiffs?

Answer by the Hon'ble MR. KERR :—

" (*a*) (*i*) 1. Babu Satchidananda Gupta.
2. Babu Manindra Nath Bhanja.
3. Babu Suresh Chandra Sen.
4. Babu Amulya Charan Chakrabatti.
5. Babu Surendra Nath Sen.
6. Babu Surendra Chandra Basu.
7. Babu Dhirendra Nath Guha.
8. Babu Tej Chandra Mukharji.
9. Babu Satish Chandra Banerji.
10. Babu Sitesh Chandra Sen.
11. Babu Upendra Chandra Mazumdar.
12. Babu Priya Nath Basu.
13. Babu Dwijendra Nath Pal.
14. Babu Jyoti Prasad Banerji.
15. Babu Mahima Ranjan Mitra.
16. Babu Atul Chandra Ray.
17. Babu Shyam Lal Basu.
18. Babu Shailesh Chandra Banerji.
19. Babu Gyanendra Nath Ghosh
20. Babu Basanta Kumar Das.
21. Babu Subodh Chandra Sarkar.
22. Babu Rajani Kanta Chaudhuri.
23. Babu Jogesh Chandra Chatarji.

(*ii*) Nos. 1 to 11, 13, 15, 18 to 20 and 22 were relieved on the 13th October.

(*b*)

No. 1	...	...	...	For a year.
No. 2	...	...	...	For a year.
No. 3	...	...	...	For a year.
No. 4	...	...	...	4 months.
No. 5	...	...	...	4½ months.
No. 6	...	...	...	9½ ,,
No. 7	...	...	...	2 ,,
No. 8	...	...	...	10 ,,
No. 9	...	...	...	4 ,,
No. 10	...	...	...	3½ ,,
No. 11	...	...	...	4 ,,
No. 13	...	...	...	1½ ,,
No. 15	...	...	...	6 ,,
No. 18	...	...	...	1 month.
No. 19	...	...	...	5 months.
No. 20	...	...	...	5 ,,
No. 22	...	...	...	1 month.

(*c*) In addition to the officers numbered to 1 to 18, Babus Dwarka Nath e, Banku Bihari Chatarji and Biman Bihari Sarkar have been appointed act as Munsiffs on the reopening of the Civil Courts after the vacation. he total number so appointed is 21.

(*d*) Two, viz., Nos. 4 and 5.

(*e*) The number of existing permanent vacancies in the last grade is x. One more will occur on the 17th November on the retirement of Rai arada Prasad Sen Bahadur. There are also three sub. *pro tem.* vacancies that grade."

By the Hon'ble MAULVI ABUL KASEM :—

LI. (*a*) Is it a fact that Chandrika Pandey and another Constable of the Railway Police, Burdwan, wantonly assaulted Nimai Charan Dutt and some other students of the Burdwan Municipal High English School on the public road and abused and insulted them when they went to the Railway Police Office at Burdwan station to make a complaint on or about the 17th October, 1917? Alleged assault by a police Constable.

(*b*) Is it a fact that a criminal case was instituted at the Court of the Subdivisional Officer, Burdwan, by the said Nimai Charan Dutt against the said Constable, Chandrika Pandey, and summonses were issued and the case made over to Babu G. C. Sen, Deupty Magistrate, for trial?

(*c*) Is it a fact that the Deputy Superintendent of Police, Burdwan district, sent for the complainant boys and asked them to withdraw the case, which they refused to do?

(*d*) Is it a fact that the said Deputy Superintendent of Police saw the Chairman of the Burdwan Municipality, who is the Secretary of the School Committee, and requested him to exercise his influence and bring about a compromise, and that the case was accordingly withdrawn?

(*e*) Are the Government considering the desirability of ordering a departmental inquiry into the matter?

Answer by the Hon'ble MR KERR :—

"(*a*) No. Neither Nimai Charan nor any other student made any complaint to the Burdwan Railway Police on or about the 17th October, what actually occurred was that on the 24th September last Constable Chandrika Pandey appeared at the police-station with Nimai Charan Datta and charged him with having rashly cycled on the public road, thereby colliding with him and causing injuries to him by knocking him down. From the evidence it appeared that Nimai had in all probability rung his bell but that the Constable had not heard it, with the result that there was a collision which led to a slight altercation between them. The case was, therefore, finally reported as 'mistake of fact.'

(*b*) Yes.

(*c*) No.

(*d*) No. On the other hand, from inquiries made it appears that the Chairman, who is also the Secretary to the School Committee, entirely on his own initiative and without any suggestion from any police officer asked the complainant to withdraw the case.

(*e*) No."

By the Hon'ble MAULVI ABUL KASEM :—

LII. (*a*) Are the Government aware that standing crops and seedlings were greatly damaged by the floods of the Damodar and the Ajay in the districts of Burdwan, Birbhum and Hooghly in August and October, 1917? The Damodar floods.

(*b*) Are the Government aware that arable lands of a considerable area on the right bank of the Damodar and on the banks of the Ajay have been greatly damaged by deposition of sand or otherwise by the floods?

(*c*) Are the Government aware that the damage caused to crops and lands by the floods in August and October, 1917 was much greater than that caused in 1916?

(*d*) Are the Government aware that a rise in the Damodar causes damage to crops and lands on account of the breaches existing in the right bank of the Damodar?

(*e*) Are the Government aware that in the flood area in the districts of Burdwan, Birbhum and Hooghly, the rice crop has been generally damaged for five successive years and the outturn has been very small and insignificant?

(*f*) Are the Government aware that in about 200 villages in thana Ketugram, in the district of Burdwan, the crops have been greatly damaged on account of a breach in the bank of the Ajay near Chandkhali?

(*g*) Are the Government aware that in many places in the flood area, notably in thanas Ketugram, Ausgram, Mangalkot, Khandaghosh, Raina and Jamalpur, in the district of Burdwan, and in the Arambagh subdivision of the Hooghly district, the rice crop was planted and replanted as many as six times or more and damaged and lost?

(*h*) Will the Government be pleased to state what steps they are taking to protect the crops and lands from damages caused by the floods, and by what time it is hoped that such steps will begin to be effective?

(*i*) Are the Government aware that there has been no abnormal rise in the Damodar or the Ajay in 1917?

Answer by the Hon'ble MR. KERR:—

(*a*) In August and October, 1917, extensive damage to crops was not caused by floods of the Ajay, but extensive damage was caused by floods of the Damodar in the districts of Burdwan and Hooghly.

(*b*) Abnormal floods in these rivers result in the deposit of sand on arable lands; in 1917 sand has been deposited by the Damodar, but not by the Ajay to any considerable extent.

(*c*) The damage caused by the Damodar in 1917 was greater than that caused in 1916. The damage caused by the Ajay in 1917 was much less than that caused in 1916.

(*d*) The information before Government shows that small floods in the Damodar do not do any damage to crops or land owing to spill through the breaches. Moderate floods undoubtedly cause benefit, both agricultural and sanitary; and it is only during high floods in the Damodar that damage is caused by the spill water through these breaches. During high floods there is, moreover, a spill over the bank in addition to that through the breaches in this locality.

(*e*) In the flood-affected areas of these districts great damage has been caused by floods of the Damodar in 1913, 1916 and 1917 and by floods of the Ajay in 1913 and 1916. In 1914 and 1915 the area in Burdwan district which is liable to floods was affected by drought.

(*f*) The damage to crops in Ketugram thana is reported not to be serious.

(*g*) It is reported that in portions of the areas mentioned the rice crop was transplanted two or three times and was finally lost.

(*h*) The Hon'ble Member is referred to the answer given by the Hon'ble Mr. Green to the question asked by the Hon'ble Maulvi Mazharul Anwar Chaudhuri at the meeting of this Council of the 12th of January, 1916. The

following progress in the execution of the measures for mitigating the effects of the floods of the Damodar has been made :—

"(1) The site for a reservoir has been selected. A contour survey has been made. Further investigations are, however, necessary to ascertain if this reservoir is of sufficient capacity to hold up the whole quantity of water required to be impounded. The Government of India have been addressed with a view to obtain the services of a special officer for the completion of this project and for the preparation of the designs and estimates required.

(2) The excavation of an escape channel from the 38th mile of the Chetua Circuit Embankment to the 5th mile of the Rupnarain Right Embankment is still under consideration. Surveys have now been very nearly completed, and the estimates will, it is hoped, be ready in the course of the next six months.

(3) The estimate for the improvement and extension of the Hoorhoora khal has been prepared and amounts approximately to ten lakhs of rupees. It is under consideration when this will be put in hand.

(4) The estimates for the retirement of the Baxi Khal Embankment at the Rupnarain end and the widening of the khal have been sanctioned, and the work has been put in hand

(5) The estimates for the construction of a short channel from Kharia on the Gaighatta khal to join with the Ghesapatty khal have been sanctioned, and the work has been put in hand

These remedial measures will become effective when they have been completed, but it cannot at present be stated definitely when this will be It is believed, however, that the partial excavation of the Ghesapatty khal has already proved effective in disposing of the flood.

(*i*) Government are aware that there has been no abnormal rise in the river Ajay during the monsoon of 1917; this is not, however, the case with the Damodar where, for the volume of flood water coming down the river, the rises have been abnormal."

By the Hon'ble MAULVI ABUL KASEM :—

Conduct of a Police Sub Inspector.

LIII. (*a*) Are the Government aware that the President of the Chanok Chaukidari Union, thana Mangalkot, in the district of Burdwan, made 13 chaukidars of his Union carry 8 maunds of potatoes from his house at Gonpur to Mangalkot, a distance of 12 miles, to the Sub-Inspector of Police stationed there?

(*b*) Is it a fact that the matter was brought to the notice of the Subdivisional Officer, Katwa, and that an inquiry was held in the matter? If so, with what result?

(*c*) Is it a fact that for two nights the chaukidars were absent from their respective villages on that account?

(*d*) Will the Government be pleased to state whether any notice has been taken of the conduct of the Sub-Inspector of Police?

Answer by the Hon'ble MR. KERR :—

"(*a*) On inquiry it appears that the facts are as stated.

(*b*) The matter was brought to the notice of the Subdivisional Officer, Katwa, and inquiries were held. It appears that in the discharge of his

duties the President has incurred a certain amount of unpopularity, which possibly accounts for the prominence given to the matter, but his action in thus making use of the chaukidars was improper and he will not be reappointed.

(*c*) No. The chaukidars were absent from their villages for one night, although they could have reached home, if they had wished.

(*d*) Final orders regarding the Sub-Inspector's conduct have not yet been passed."

By the Hon'ble MAULVI ABUL KASEM :—

Vacancies in certain Collectorate establishments

LIV. Will the Government be pleased to state the number of vacancies in the ministerial establishment of the following offices since 1914, and how many of them were filled up by Muhammadans and how many by non-Muhammadans :—

(*a*) the Jessore Collector's office,
(*b*) the Khulna Collector's office, and
(*c*) the Alipore District Judge's office ?

Answer by the Hon'ble MR. KERR :—

" The numbers of vacancies in the Jessore and Khulna Collectorate ministerial establishments since 1914 have been respectively 19 and 15; of these vacancies 4 and 9 respectively were filled up by the appointment of Muhammadans and the remainder by the appointment of non-Muhammadans. Figures for the Alipore District Judge's office are not available on account of the vacation."

By the Hon'ble MAULVI ABUL KASEM :—

An appointment in the Khulna Collectorate.

LV. (*a*) Is it a fact that an appointment on Rs. 100 per mensem fell vacant in the Khulna Collector's office and a fully qualified Muhammadan serving on Rs. 80 applied for the post but it was given to a junior non Moslem drawing Rs. 60 a month ?

(*b*) Is it a fact that to fill up a vacancy in the Jessore Collector's office, applications were invited specially from Muhammadan candidates and several qualified Mussalmans applied, but the appointment was given to a non-Moslem ?

(*c*) Is it a fact that one Tijarat Molla, who was a paid probationer for more than five years and also served as comparing clerk at Magura, applied for the post, but the appointment was given to a non-Moslem probationer junior to Tijarat Molla ?

Answer by the Hon'ble MR. KERR :—

" (*a*) An appointment on Rs. 100 fell vacant in the Khulna Collectorate Among the candidates for the post were a Hindu ministerial officer of the Khulna Collectorate who held an appointment on Rs. 70 and a Muhammadan ministerial officer of the Jessore Magistracy who held an appointment on Rs. 80. This Hindu candidate was senior in service by 4 years to the Muhammadan candidate. The Hindu candidate was appointed on the ground that he was better qualified for the vacant post. These appointments in the Upper Division are made with regard to special fitness for the posts and, unless other considerations are equal, seniority is not regarded in filling them.

(*b*) Applications were invited specially from Muhammadan candidates owing to a mistake. The appointment was given to a non-Muhammadan who was the senior probationer.

(*c*) Tijarat Molla was a paid probationer for one year, after which he held a temporary post for 4 years, during which he was not a probationer In making this appointment the Collector preferred the claims of the senior probationer. Tijarat Molla was given a post as copyist."

By the Hon'ble MAULVI ABUL KASEM :—

LVI. Will the Government be pleased to state the total number of ministerial officers in the Malda Collectorate, and how many of them are Muhammadans? Malda Collectorate establishment.

Answer by the Hon'ble MR. KERR :—

"There are in the Malda Collectorate 37 ministerial officers of whom 9 are Muhammadans."

By the Hon'ble MAULVI ABUL KASEM :—

LVII. Will the Government be pleased to state the number of days for which the District Magistrate of Burdwan was out on tour in the- Tours of the District Magistrate of Burdwan.

(*a*) Asansol subdivision,

(*b*) Katwa subdivision, and

(*c*) Kalna subdivision,

during 1917?

Answer by the Hon'ble MR. KERR :—

"Between the 1st January and the 31st October 1917, the District Magistrate of Burdwan was out on tour in the Asansol subdivision for 35 days, in the Katwa subdivision for 15 days, and in the Kalna subdivision for 10 days. As Chairman of the Mines Board of Health, the District Magistrate has to visit Asansol on fairly frequent occasions."

By the Hon'ble MAULVI ABUL KASEM :—

LVIII. (*a*) Are the Government aware that, on the 14th September last, Babu Rajendra Nath Gupta, Sub-Deputy Magistrate, Kandi, district Murshidabad, came to Court at about 12-30 P.M., and that immediately on his taking his seat two Muhammadan Mukhtars informed him that it was Friday and time for prayers, and that they, with their Muhammadan clients, were going to the mosque for prayers? Conduct of a Sub-Deputy Magistrate.

(*b*) Is it a fact that the Sub-Deputy Collector told them that if the clients were absent the cases would be dismissed?

(*c*) Are the Government aware that as the time for prayers was short the parties left the Court, and the Magistrate called for the cases in their absence and dismissed them?

(*d*) Is it a fact that some Hindu Mukhtars present in Court, among them Babu Kshitish Chandra Hazra, drew the attention of the Court to the fact that the Muhammadans had gone for their prayers and requested that the cases be taken up later on, but that this request was refused?

(*e*) Is it a fact that the Mukhtars on returning from the mosque, moved for a reconsideration of the orders striking off the cases, but the petition was refused?

(*f*) Has the conduct of the Sub-Deputy Magistrate in this matter the approval of Government?

Answer by the Hon'ble MR. KERR :—

" (*a*) Government are aware of the facts stated; but they are informed that the Mukhtars made no mention of their Muhammadan clients' desire to attend prayers.

(*b*) No.

(*c*) There was only one petition of complaint on the day in question; as the complainant did not appear when called, his complaint was dismissed.

(*d*) The Hindu Mukhtars mentioned that it was the day for Jumma prayers, but did not request that, as the complainant had gone to pray, his case should be taken up later.

(*e*) No.

(*f*) The action of the Magistrate was due merely to want of thought; Government do not propose to take any further notice of the incident."

The Hon'ble MAULVI ABUL KASEM asked the following supplementary question :—

"Will the Government be pleased to state whether it is a fact that the petitioner swore an affidavit and it was filed in the Court of the Subdivisional Officer with the application for the renewal of the case?"

The Hon'ble SIR S. P. SINHA, said :—

"There is no information before the Government on the subject."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Quality of quinine supplied through Post Offices.

LIX. (*a*) Will the Government be pleased to state whether there has been any deterioration lately in the quality of quinine supplied through Post Offices?

(*b*) Are the Government aware of any suspicion in the public mind regarding the quality of quinine thus supplied?

Answer by the Hon'ble MR. DONALD :—

" (*a*) No.

(*b*) Sugar-coated tablets were issued to certain vendors in place of the ordinary tablets. Five complaints were received, but on the other hand certain vendors preferred the sugar-coated tablets and asked for more of them. The sugar-coated tablets are being withdrawn from the places in which they were not liked."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Pure drinking water in the subdivisional towns of the Presidency.

LX. (*a*) What provision is there for the supply of pure drinking water in the subdivisional towns of the Presidency?

(*b*) Is it a fact that in many of these towns no reserve tank is provided nor is any adequate arrangement made for the supply of pure water? If so, what action (if any) are the Government taking in the matter?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) and (*b*) A statement giving the information is laid on the table. The improvement of the water-supply is a matter in which initiative lies with the local authorities concerned. They are able to obtain advice from the Sanitary Engineer to Government, and Government are prepared to assist them with grants for schemes of water-supply, regard being had to the funds available for this purpose and to the relative urgency of the schemes put forward."

Statement showing provision for the supply of drinking water in the Subdivisional Head-quarters in Bengal referred to in the answer by the Hon'ble Mr. O'Malley to question No. LX (unstarred) asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri at the Council meeting of the 20th November, 1917.

DISTRICT.	Total number of subdivisions.	SUBDIVISIONAL HEAD-QUARTERS WITH—		
		Filtered water-supply.	Reserved tanks.	No special provision for water-supply.
Burdwan ...	4	Sadar ...	Kalna ..	Katwa. Asansol.
Birbhum ...	2	...	Sadar. Rampurhat.	
Bankura ...	2	Sadar ...	Vishnupur.	
Midnapur ...	4	...	Sadar ... Ghatal. Tamluk.	Contai.
Hooghly ...	3	Sadar ... Serampore.	...	Arambagh.
Howrah ...	2	Sadar ...	Uluberia.	
24-Parganas ...	5	Sadar ... Barrackpore ...	Barasat.* Basirhat. Diamond Harbour.	
Nadia ...	5	...	Sadar ... Meherpur ...	Chuadanga. Ranaghat. Kushtia.
Murshidabad ...	4	Sadar ...	Kandi ...	Lalbagh. Jangipur
Jessore ...	5	Sadar ...	Magura ... Narail. Bongaon.	Jhenida.
Khulna ...	3	Sadar† ...	Satkhira. Bagerhat.	
Dacca ...	4	Sadar ... Narayanganj. Munshiganj.	Manikganj.	
Mymensingh ...	5	Sadar ...	Netrakona ...	Jamalpur. Tangail. Kishorganj.
Faridpur ...	4	Sadar† ...	Madaripur ... Goalundo.	Gopalganj.
Bakarganj ...	4	Sadar† ... Patuakhali.† Pirojpur.†	Bhola.	
Chittagong ...	2	Sadar ...	Cox's Bazar.	
Tippera ...	3	Chandpur† ...	Sadar. Brahmanbaria.	
Noakhali ...	2	...	Sadar. Feni.	
Rajshahi ...	3	...	Sadar ... Nator.	Naogaon.
Dinajpur ...	3	...	Balurghat ...	Sadar. Thakurgaon.
Jalpaiguri ...	2	...	...	Sadar. Alipore Duars.
Rangpur ...	4	...	...	Sadar. Nilphamari. Kurigram. Gaibandha
Pabna ..	2	...	Sadar ...	Sirajganj.
Darjeeling ...	4	Sadar ... Kurseong.	Kalimpong ...	Siliguri.

* The local Municipality also supplies on a limited scale boiled water for drinking purposes.
† Also reserved tanks.

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Rise in the price of salt.

LXI. (*a*) Are the Government aware of the great increase in the retail price of salt in Bengal?

(*b*) Will the Government be pleased to make a statement showing the average retail price of salt in Bengal during each of the last five years as compared with the present market price?

Answer by the Hon'ble MR. DONALD :—

"(*a*) Yes.

(*b*) A statement showing the average retail price of salt in Bengal during each of the last five years is laid on the table."

Statement referred to in the answer by the Hon'ble MR. DONALD *to Question No. LXI (unstarred) asked by the Hon'ble* BABU BROJENDRA KISHOR RAY CHAUDHURI *at the Council meeting of the 20th November, 1917.*

Year	Price per maund. (In rupee and decimals of a rupee).		Price per seer.
	Rs.		
1912	2·215	or	10 pies.
1913	2·169	or	10 ,,
1914	2·286	or	11 ,,
1915	2·888	or	1 anna 2 pies.
1916	3·701	or	1 ,, 6 ,,
Present market price	5·016	or	2 annas.

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Wholesale dealers and the rise in the price of salt.

LXII. (*a*) How far is the present increase in the price of salt due to speculative devices on the part of wholesale dealers?

(*b*) Are the Government considering the desirability of making an inquiry into this abnormal rise in the retail price of salt?

(*c*) Will the Government be pleased to lay on the table such correspondence as may have passed between the Local Government and the Government of India relating to this matter and the question of manufacture of salt in Bengal?

Answer by the Hon'ble MR. DONALD :—

"(*a*) and (*b*) So far as this province is concerned, there are obvious causes making for a rise in prices, and there has hitherto been little evidence of speculation. The situation is being watched with a view to further inquiry if need be.

(*c*) The memorandum laid before the Imperial Legislative Council, which is appended to the Proceedings of that Council of the 12th September, 1917, was the reply of this Government to a suggestion as to the possibility of reviving the manufacture of salt in Bengal. There is no other correspondence which it is considered desirable to produce."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

LXIII. (*a*) With reference to the memorandum by the Government of Bengal dated the 5th April, 1917, on the production of salt, which has been appended to the Imperial Council proceedings, dated the 12th September, last, will the Government be pleased to state whether any special inquiry was made before the said memorandum was prepared? Manufacture of salt in Bengal.

(*b*) With reference to the statement made in the said memorandum that "salt could not be manufactured in Bengal except at a price which would be far higher than that at which it is imported or manufactured elsewhere in India," will the Government be pleased to state what the average price would be if salt were manufactured in Bengal under existing circumstances?

Answer by the Hon'ble MR. DONALD :—

"(*a*) No special inquiry was necessary, the memorandum referred to was prepared in consultation with the Commissioner of Excise and Salt, Bengal, and his expert assistants

(*b*) The average price of manufacture under existing circumstances has not been calculated."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

LXIV. Will the Government be pleased to state whether they are considering the desirability of making an inquiry as to what extent the market price of salt has risen in other parts of India as compared with Bengal? Market price of salt

Answer by the Hon'ble MR DONALD :

"The reply is in the negative."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

LXV. (*a*) Have the Government ascertained the prospects of increasing the output of salt by extending some factories in the Ganjam district in Madras, as indicated in the memorandum referred to above, and what steps have been or are being taken to bring about the said extension? Output of salt.

(*b*) Has this matter been taken up by the Government of India?

Answer by the Hon'ble MR. DONALD :—

"(*a*) and (*b*) The Government of Madras have been addressed on the subject by the Government of India."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

LXVI. (*a*) Is it a fact that in the recent record-of rights proceedings in the Dacca Division, the landlord's share of the Barga produce of khamar lands has been commuted into money rent in many instances? Record-of rights in Dacca Division.

(*b*) If so, will the Government be pleased to lay on the table circulars or other official papers issued to the settlement authorities in the mufassal for their instruction and guidance in this behalf?

(*c*) Are the Government aware of the feeling that exists that these commutation proceedings have worked to the great hardship of the landlords generally?

(*d*) How does the proportion of the money rent to the value of the produce of land generally vary? Has this proportion any reference to the share of the Barga produce actually received by the landlord as compared with the entire yield?

(*e*) Is there any maximum proportion fixed by the settlement department between the value of the produce of the land and the money-rent assessed thereon?

(*f*) If so, what is the said proportion and what are the considerations that have determined the same?

(*g*) Are these commutation proceedings judicial or revenue in their character?

Answer by the Hon'ble MR. KERR :—

" (*a*) Produce-rents have been commuted to money-rents on the application of persons interested in a very limited number of cases in recent settlement operations in the Dacca Division.

(*b*) The Hon'ble Member is referred to the instructions mentioned in the answer to question 2 (*e*) asked by the Hon'ble Nawab Ali Chaudhuri at the Council meeting of the 3rd April, 1916. The instructions then laid on the table will be found on pages 70-71 of " The Technical Rules and Instructions of the Settlement Department " published in 1916.

(*c*) Commutation proceedings are not popular with landlords

(*d*), (*e*) and (*f*) The Hon'ble Member is referred to the instructions already mentioned.

(*g*) The proceedings are revenue proceedings."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Designation of teachers.

LXVII. (*a*) Are the Government aware that there is a distinction in the designation of the teachers on the Arts and Science sides of the Presidency College, Bengal?

(*b*) Is it a fact that men fresh from the University, when appointed on the Arts side, are styled as Professors in the Provincial Educational Service and teachers in the Subordinate Educational Service, while officers having similar qualifications and doing similar work and having years of experience behind them are variously styled Demonstrators and Assistants on the Science side?

(*c*) Is it a fact that the work of these officers on the Science side is in no way less responsible or less exacting than that of the corresponding officers on the Arts side?

(*d*) Is it also a fact that in the same department, the Assistants and Demonstrators have in many cases the same academic qualifications and practically do the same work?

(*e*) Is it also a fact that some of these Assistants are placed in independent charge of classes, attendance at which is obligatory on the part of the students as required by the regulations of the University?

(*f*) Are the Government taking any action to rectify these anomalies immediately or when giving effect to the recommendations of the Public Services Commission?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) and (*b*) The teachers on the Arts side are classified as (*a*) Professors whether of the Indian Educational Service or Provincial Educational Service, and (*b*) Lecturers in the Subordinate Educational Service. The teachers on the Science side are classified as (*a*) Professors whether of the Indian Educational Service or Provincial Educational Service and (*b*) Demonstrators in the Provincial Educational Service. The staff on the Science side also includes Laboratory Assistants who are not appointed as teachers but have to some extent been allowed to teach the qualifications required for appointment as Laboratory Assistants are inferior to those required for appointment as teachers.

(*c*) The work of teachers on the Science side is not less responsible or less exacting than that of teachers on the Arts side, but the work of Laboratory Assistants is generally less responsible and less exacting than that of teachers.

(*d*) Yes.

(*e*) Yes, but all the work of the Assistants is done under the general supervision of the heads of the departments concerned.

(*f*) The matter is under the consideration of the Education Department."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Demonstrators and Laboratory Assistants.

LXVIII. (*a*) Is it true that the limits of promotion of Laboratory Assistants and Demonstrators have been fixed in the circular No. 111 dated the 11th May, 1917, of the Director of Public Instruction, on a consideration of the nature of their duties?

(*b*) If so, will the Government be pleased to state what exactly is the nature of the duties that specifically distinguishes a Demonstrator from a Laboratory Assistant?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) Yes, but the circular in question applies only to officers in the Subordinate Educational Service and not to Demonstrators in the Provincial Educational Service. The orders in the circular will have effect as an experimental measure for only three years.

(*b*) A Demonstrator is a teacher as well as a supervisor of practical work done in the laboratories. A Laboratory Assistant is appointed only for the supervision of practical work done in the laboratories."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Status of Professors and Demonstrators.

LXIX. (*a*) Is it a fact that on the Science side in many cases Assistants and Demonstrators transferred from the Presidency College to a mufassal college *ipso facto* become Demonstrators and Professors, respectively, and conversely Demonstrators and Professors when transferred from a mufassal college to the Presidency College become Assistants and Demonstrators, respectively?

(*b*) If so, does it signify that the Assistants and Demonstrators of the Presidency College stand on the same footing with the Demonstrators and Professors respectively of a mufassal college as regards the nature of their work and qualifications?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) No. Assistants and Demonstrators may be transferred to be Demonstrators and Professors in mufassal colleges, but the change of statu does not come about *ipso facto*. Conversely, if an officer is transferred from a mufassal college to the Presidency College he takes the status and designation of the vacancy to which he is transferred.

(*b*) This question does not arise."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Bengal contribution to Pasteur Institute at Shillong

LXX. (*a*) Have the Government of Bengal made any contributio towards the Edward VII Memorial Pasteur Institute at Shillong? If so what is the amount of such contribution?

(*b*) Is it a fact that a portion of the fund raised under the Government o Eastern Bengal and Assam for the purposes of the Edward VII Memoria went to the establishment and upkeep of the said Institute?

(*c*) If the answer to either of the foregoing questions be in the affirmative, will the Government be pleased to state what, if any, control i exercised by the Government of Bengal over the said Institute?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) No such contribution has yet been made, but orders have bee passed transferring to the Pasteur Institute at Shillong, with effect from th financial year 1918-1919, a contribution of Rs 2,000 per annum hithert paid to the Kasauli Pasteur Institute.

(*b*) Yes.

(*c*) None "

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Board of Sanskrit Examination.

LXXI. With reference to the answer given to clause (*c*) of my un starred question No. LXVIII of the 7th August, 1917, will the Governmen be pleased to state who, among the members of the Board of Sanskr Examination, represents the interests of indigenous Sanskrit learning i North Bengal on that Board?

Answer by the Hon'ble MR. O'MALLEY :—

" It is regretted that the answer given to clause (*c*) of the Hon'ble Member's unstarred question No. LXVIII of the 7th August was incorrect and was given owing to an oversight. The answer should have read—' No, the present membership is limited.' This being so, the Hon'ble Member's present question does not arise."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Suppression of certain offences in certain districts.

LXXII. (*a*) With reference to the answer given to my question No. XIX asked at the meeting of Council held on the 4th September, 1917, will the Government be pleased to state what, if any, special measures have been taken by them for the suppression of offences relating to female modesty, etc., in those districts in which such crimes largely prevail?

(*b*) Are the Government considering the desirability of drawing the special attention of local officers to the large number of cases of non-detection of offenders against female modesty, etc., particularly in Mymensingh, Dacca, Bakarganj and Rangpur?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*b*) No special measures of the description indicated have been taken, nor is it clear what measures are possible beyond those ordinarily designed to place restraint upon bad characters. It is true that the proportion of cases detected is poor, but it is believed that the officers concerned are fully cognisant of that fact. There are special difficulties surrounding the investigation of cases of this kind, not the least being the frequent reluctance of those concerned to give evidence in them."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :

LXXIII. (*a*) Is it a fact that during the past year the largest number of deaths from small-pox were recorded in the district of Mymensingh? Deaths from small-pox.

(*b*) If so, will the Government be pleased to state what steps, if any, were taken to stop the spread of the disease in that district?

(*c*) Is it true that the death-rate from small pox has considerably decreased in those districts in which free vaccination has been organised?

(*d*) Are the Government in a position to state what has been the result of six-puncture vaccination during the triennial period 1914-15 to 1916-17?

(*e*) Are the Government in a position to state whether only good quality lymphs are supplied for the purposes of vaccination?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) Yes, during the financial year 1916-17.

(*b*) Vaccinators were deputed to the affected areas for the purpose of suppressing outbreaks.

(*c*) Free vaccination has been only recently organised in parts of certain districts. It is too early to estimate its results.

(*d*) The following numbers of cases of vaccination in six points were reported as successful during the years 1914 to 1917 :—

		Primary	Revaccination
1914-15	..	240,527	24,558
1915-16	..	259,157	10,212
1916-17	..	221,226	5,622

Figures are not available showing the results.

(*e*) All the vaccine lymph prepared is carefully tested before issue. If kept too long before use, vaccine tends to lose its potency, especially in the hot weather, and it sometimes happens that licensed vaccinators delay in using the lymph. In order to avoid as far as possible trouble of this kind, vaccine is now being issued at weekly intervals."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

LXXIV. (*a*) Are the Government aware of any experiment made with bamboo for the manufacture of paper-pulp? Manufacture of paper.

(*b*) If so, does the result of such experiment encourage utilization of bamboo for the above purpose in preference to sabai and other grasses?

Answer by the Hon'ble MR. DONALD :—

" (*a*) and (*b*) Government understand that paper-pulp can be made from bamboos. Such experiments however as have been made, have been made by private firms; and Government have no information as regards the comparative results obtained from bamboos and from various kinds of grass."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Presidency house allowance to Government officers.

LXXV. (*a*) Will the Government be pleased to lay on the table the rules regarding Presidency house allowance to Government officers?

(*b*) Are the Government considering the necessity of granting this allowance to the members of the Provincial Civil Service?

Answer by the Hon'ble MR. KERR :—

" (*a*) A copy of the rules is laid on the table.*

(*b*) Yes; the point has been raised in connection with the Report of the Public Services Commission, and is being examined in that connection."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

Delay in the disposal of police cases.

LXXVI. (*a*) Has the attention of the Government been drawn to the Police Administration Report wherein mention has been made of delay in the disposal of police cases by Magistrates?

(*b*) Is it a fact that in most cases delay is due to the paucity of prosecuting police officers attached to the mufassal Court?

(*c*) Will the Government be pleased to state whether it is not a fact that in most of the subdivisions there is only one Court Sub-Inspector to conduct police cases and that cases have to be adjourned or taken up at late hours to suit the convenience of this officer?

(*d*) Is it a fact that it is difficult to arrange cases in different Courts to suit the Court Sub-Inspector?

Answer by the Hon'ble MR. KERR :—

" (*a*) Yes. The Hon'ble Member's attention is invited to paragraph 13 of the Government Resolution on the Police Administration Report for 1916.

(*b*) The delay may be due in some cases to the paucity of prosecuting police officers, but not in most cases.

(*c*) There are 57 subdivisions in the Presidency, in 13 of which there are two prosecuting officers and in the remaining 44 only one. It may occasionally happen that where the number of courts taking up police cases is larger than the number of prosecuting police officers delay occurs in the disposal of the cases, but endeavours are always made to make over police cases to as few Magistrates as possible.

(*d*) Yes, and the matter has engaged the attention both of the Inspector-General of Police and of Government. In individual cases extra prosecuting police officers have been sanctioned from time to time and the general question of strengthening the court police staff is now under the Inspector General's consideration. Government are prepared to consider his recommendations as sympathetically as the financial situation will permit."

* Not included in these proceedings.

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

LXXVII. (*a*) Will the Government be pleased to state the exact number of Bengalis recruited up to date for— Bengali recru

(*i*) the Bengali Regiment,
(*ii*) the India Defence Force?

(*b*) Will the Government be pleased to state what actual work is being done by the recruiting officers appointed by Government for recruiting Bengali soldiers?

(*c*) Are the various recruiting officers in direct touch with the recruiting Committees existing in the districts and subdivisions? If so, will the Government be pleased to lay on the table the names of such Committees throughout Bengal and the number of meetings held by the several Committees in which the Government recruiting officers attended?

Answer by the Hon'ble MR. KERR :—

" (*a*) (*i*) 1,810 soldiers and 60 followers up to the 18th November.

(*ii*) It is understood that there have been some 2,260 applications for enrolment, but the final figures of recruitment are not yet available.

(*b*) and (*c*) The Divisional Recruiting Officer is in charge of recruiting operations. In addition to the work of supervision and control, he makes frequent visits to the districts to address meetings and stimulate recruitment in co-operation with the Bengali Regiment Committee.

His staff consists of five Assistant Recruiting Officers, of whom two divide the Burdwan and Presidency Divisions between them in addition to enrolling recruits brought into headquarters. The other three are in charge of the Rajshahi, Dacca and Chittagong Divisions respectively These officers are in touch with the local committees within their areas and have in several instances assisted in forming committees in places where they did not exist before. They are also in communication with the local civil officers. They tour through their divisions, measure and examine all recruits, enrol those passed fit, pay them advances, etc., and make arrangements for their despatch to Calcutta.

Beside the above, three District Assistant Recruiting Officers are working in the headquarters office, one of whom is confined to work in connection with non-combatant recruitment, while an officer of the headquarters staff in each district has been appointed District Assistant Recruiting Officer.

Government have no definite information regarding the number of committee meetings attended by the Recruiting Officers (the Divisional Recruiting Officer has himself addressed more than 30 meetings), nor as to the exact number and membership of the committees in Bengal beyond that contained in the pamphlet issued by the Bengali Regiment Committee to its members. As the matter is primarily of local interest, they doubt if it would serve any useful purpose to call for the information."

By the Hon'ble RAI RADHA CHARAN PAL BAHADUR :—

LXXVIII. (*a*) Will the Government be pleased to state the circumstances under which Hemanta Kumar Mazumdar, B.A., Head Master, Basanta Kumar High English School, Benodpur, Jessore, has been interned? Internment of a Head Master.

(*b*) Is it a fact that he has been detained in a very unhealthy place in the district of Faridpur, and that his health has greatly suffered thereby?

(*c*) Is it also a fact that neither he nor his family are granted any allowance and that they have been put to great hardship in consequence?

(*d*) Are the Government inquiring into the matter with a view to removing his grievances?

Answer by the Hon'ble MR KERR:—

"(*a*) Hemanta Kumar Mazumdar has been interned because there are in the opinion of Government reasonable grounds for believing that he has acted and was about to act in a manner prejudicial to the public safety.

(*b*) The answer is in the negative.

(*c*) The answer is in the negative.

(*d*) Government are not aware of the existence of any grievances."

By the Hon'ble BABU SURENDRA NATH RAY:—

Removal of Secretariat Press.

LXXIX. (*a*) Is there any proposal to remove the Bengal Secretariat Press from Writers' Buildings and the Sealdah Building to Gopalnagar near Alipore?

(*b*) Will the Government be pleased to state the expenses likely to be incurred for such a scheme?

(*c*) Will the Government be pleased to state—

(*i*) the cost of removal of the press to Koila Ghat Street; and

(*ii*) the cost of removal to Sealdah?

Answer by the Hon'ble MR. DONALD:—

"(*a*) Yes.

(*b*) The probable cost of the scheme, including land and buildings, is about nine lakhs, but no detailed estimates have as yet been framed.

(*c*) Including the cost of the necessary electric installation the figures are respectively (*i*) Rs. 17,461 and (*ii*) Rs. 31,141.

THE PRESIDENT'S ADDRESS.

HIS EXCELLENCY THE PRESIDENT said:—"Before proceeding with the business which stands upon the agenda paper, it is my intention to make a statement with regard to the Defence of India Act, and the action taken by the Bengal Government under the powers conferred upon it by virtue of that measure. A number of resolutions in connection with the matter are down for discussion this afternoon, and it will be for the convenience of Hon'ble Members, I think, if, before any debate on them takes place, I explain the position and the attitude of Government with regard to the whole question of the revolutionary movement. I shall have to trespass somewhat, I fear, upon the patience of the Council; but I found my claim to your indulgence upon the importance of the subject with which I propose to deal, and upon the widespread interest which it naturally possesses for the public. I am also sanguine enough to hope that what I am now about to say may have the effect of curtailing the discussion which might otherwise be expected to take place upon the resolutions.

It seems to me that it is all the more necessary that Government should be as frank as possible with the public in this matter, because the exercise

of powers under an Act of this kind is peculiarly open to misinterpretation. That the action of Government has been the subject of serious criticism and sometimes of violent condemnation is well known. A speaker at a public meeting, not long ago, described the Defence of India Act as 'an oppression of India's Act for the prosecution of innocent young men'; and even Sir Rabindra Nath Tagore, whose utterances carry with them the weight which attaches to his name and position, has deliberately stated that the public 'are justified in thinking that a large number of those punished are innocent'. That is a very grave charge for any responsible person to make against any Government, and it is one which I cannot allow to pass unnoticed.

Let us consider for a moment the character of the movement in Bengal which the Act was designed to meet. The movement as a whole was revolutionary in its aims and, to a considerable extent, anarchical in its methods. Though it has sought to take advantage of the war in which the Empire is engaged, it is not a product of the war. It existed long before the war; and Sir Reginald Craddock made it quite clear in the Imperial Legislative Council that it was intended that the Act should be employed to enable Government to deal with this movement. His words on this point were—'closely akin to this movement is the anarchist movement in Bengal, that we have had with us for a long time; sometimes it has been temporarily quiescent and sometimes it has recrudescenced . . . . These two movements in the Punjab and in Bengal are more closely connected than might be supposed. They may attract different kinds of followers and they may pursue slightly different methods; but their ultimate aims are the same, and the security of loyal India requires that they should be suppressed.'

I have reminded you of this because it is sometimes suggested that we are using the Defence Act for purposes for which it was not intended.

Very well, then the movement with which we have to deal is one of long standing, whose object is 'the subversion of the established Government'. These latter are not my words as I shall show in a moment. It is often denied that any organized conspiracy exists for the overthrow of Government; and I have been careful, therefore, to use the words of one of the conspirators themselves—words which were used not in the course of a confession to the Police or under any circumstances such as might conceivably render them suspect in the eyes of an abnormally suspicious person; but used by one of the organizers of the movement in his written instructions to his fellows. The document in which these words occur is an elaborate scheme for the organization of a conspiracy against Government, the nature of which is clearly indicated in the introduction, an extract from which I propose to read to you. It is headed :—

The scope and province of the League.

'Salvation is the goal to which every member of the League wishes to proceed. Salvation is not possible without the revival of the ancient spiritual Hindu culture in all its spiritual phases . . . . . It requires first of all political independence in its entirety. Political independence is not possible without the expulsion of the greedy and selfish foreigners from the country. They cannot be driven out without the subversion of the established Government by means of arms and munitions required for a national rising. Men and money are the two important requisites for a national rising. The whole thing in a nut-shell is that the confederacy should vigorously work to gather men, money and arms, and to organize these people into a sacred military band for the future struggle. Therefore, organization is the chief thing to which the confederacy must pay supreme attention'.

After this preliminary explanation the writer goes on to describe the details of the organization. 'The League should be divided into two sections'—and here I again quote verbatim from the document—'(*a*) the inner section which is a secret one and is intended only for concealed works, and (*b*) the outer one intended for public organized works. These two organizations may work hand in hand, so that the public may take the entire body to be public philanthropists. But care should be taken not to divulge the existence of the inner section by a rash work or indiscreet remark'.

After this, minute instructions are issued under different heads such as training, the diffusion of literature, formation of character, discipline, local organization, intelligence, finance and recruitment. The instructions under the head of recruitment are of peculiar interest because we are in possession of a mass of corroborative evidence which shows that the lines here laid down are those which are actually followed by those revolutionary organizations of which we have specific knowledge. A few extracts will suffice to show the insidious nature of the campaign adopted for obtaining recruits. The following, for instance, are some of the agencies to be employed for securing recruits :—School Masters and Professors of Colleges, Nursing Associations, religious institutions and religious associations, messes, hostels, reading clubs and so on. Then we have a digest of the subjects which should be discussed with those whom it is intended to recruit. In this connection India past, present and future is to be discussed from three points of view—political, religious and social. It is then to be pointed out that it is to bring about an ideal India that their activities must be devoted. The relative merits of constitutional agitation and of methods of violence are then to be discussed, and this portion of the document proceeds as follows :—'After discussing these things if the recruit wishes to be a member of the organization—whether of outward or of inward—admit him, having got him gone through the process of membership'. And it ends with a note of caution—'In the case of an unknown recruit, try to understand his hidden motives and intentions by casual remarks, follow him to the circle of his friends. Throw certain things, written or concrete before him and watch him in what light he takes them and what is his genuine attitude. Try to have him entrapped through proper channel like a patient huntsman'.

So much for the general lines of procedure actually laid down in black and white. I do not suggest that all the revolutionary organizations, of which we have knowledge, possess such carefully elaborated schemes. What I do say is that these are the general lines upon which a number of revolutionary bodies, with ramifications throughout the Presidency, are actually working. The evidence now in our possession, proving that this is so, is overwhelming. I wish I could place before the public all the information which Government possess. If I could, I venture to think that such phrases as 'the oppression of India's Act for the persecution of innocent young men' would speedily disappear from the *repertoire* of our platform orators and from the public press.

Lord Carmichael has publicly stated more than once the reasons why such a course is not possible—and the reasons which he gave still hold good. But if I cannot place before you all the information which we possess, I can at least give you an indication of the kind of evidence which we receive and which corroborates evidence already in our possession.'

I informed you just now of the instruction contained in the document from which I have been quoting on the subject of recruiting. School Masters were selected as one of the most suitable agencies for recruiting young men and the mode of procedure to be followed was laid down. Now, let us see what evidence we have that these orders are carried out. The following is a statement made by a young man during the present year (1917). For obvious reasons I shall not disclose the actual names of persons or of places. The statement is as follows :—'*X* was a teacher in a certain

school. In December he began to lecture me on religious and moral subjects. advised me to practice *Bramachariya* and to give up play. He used to give me books to read on religious and moral subjects. By and by I was given to know by *X* that there was an *Anushilan* party whose aim was to do good to the country. At first I had no idea that this party also planned dacoities and murders; *but gradually I came to know this*'. Can any one deny that here we have a striking example of the instructions on recruiting faithfully carried out?

Here is another statement by another young man also made very recently:—

'When I was reading in the first class of a certain high school, one *Y*, a teacher of History in the said school, used to deliver lectures in the class about freedom and unfairness of British Government in dealing with the subject race. He delivered similar lectures for about ten days in his class hours. He took me to Wellington Square after the school hours for about 20 days and gave instructions to me as to liberate India from her bondage of slavery. He also encouraged me, saying that we were hopes of India and with us lay the freedom and welfare of the mother-country. He said that time will come when our assistance will be required to join the Army, to wage war against the British Government. When we used to reach Wellington Square I saw many youths numbering from 2 to 15 at different times coming to the said Square and talking privately with him one after another'.

These are two examples which illustrate the insidious methods which are widely adopted for obtaining recruits for the revolutionary organizations. Had I the time I could give many more. There are, however, other aspects of the question with which I desire to deal, and I will quote only one other statement in illustration of the *modus operandi* of the revolutionary recruiting agents. In quoting from the revolutionary document a moment ago. I showed that the revolutionary society was to be so organized that the public might take the entire body to be public philanthropists. I invite you to bear this in mind while I quote from a statement made recently by an unfortunate young man who was caught in the toils of the revolutionary organization. This is what he says—'*Z* used to give me religious books such as the works of *Vivekananda*. . . . . He gradually impressed on me by quoting instances that our legitimate rights could not be given and our grievances adequately remedied by a foreign Government, and that in these circumstances our final aim should be to secure independence and to get rid of the foreigners. He used to say that one of our steps should be to have the public sympathy with us, and to secure this we must do philanthropic works . . . One of his ideas to secure the required number of men for a revolution was that our men should be appointed generally as School Masters in all important villages who would try to influence the public to side with us. *Z* said that when in this way we have secured a sufficient number of men, we would secretly import arms from foreign countries with the help of our rich men'.

Let me now deal with some of the criminal actions for which these organizations are responsible. In the introduction of the revolutionary document which I have already quoted, occur these words:—'The confederacy should vigorously work to gather men, money and arms.' It is, perhaps, hardly necessary for me to attempt to prove that this injunction is acted upon. The facts known to the public afford sufficient proof in themselves. It will scarcely be denied for instance—even by those who accuse us of locking up innocent youths—that the large number of arms stolen from Messrs. Rodda & Co. in 1914 were intended for criminal use. Let me remind you of the details of that theft. On 26th August 1914, no less than 50 mauser pistols and 46,000 rounds of ammunition were stolen from Messrs. Rodda & Co. Here, surely, is a sufficiently striking example of what is meant by 'gathering arms'. Now, bearing this in mind, consider the following facts. Since the date of the theft, no less than 50 outrages have been committed in which

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pistols of the kind stolen have been used. In the course of these 50 outrages 32 persons have lost their lives and 51 have been wounded ; and loot to the value of Rs. 4,78,706 has been stolen. Should not these melancholy facts give pause to those who indulge in over hasty criticism of our action ?

Perhaps I can best illustrate the kind of crime which we have to deal with and the kind of justification which we have for the action which we take to meet it, by taking a concrete example.

I will take a case of dacoity, accompanied by murder, which has occurred during the present year.

On 7th May last, a dacoity was committted at a jeweller's shop in Armenian Street in this city. Money and jewellery to the value of about Rs. 5,000 were carried off and four innocent persons were wounded, two of whom died. Nine persons took part in this crime of whom one—whom I will call '*A*'—was wounded and assassinated the same day by his own companions, and six have been arrested under the Defence of India Act and are now under restraint. If I am to justify the action which we have taken against these persons, I must prove to the satisfaction of reasonable men, *firstly*, that these six men did actually take part in the outrage, and *secondly*, that the outrage was perpetrated in furtherance of the objects of a conspiracy against the State.

I will deal with these two questions in order.

Of these six men, five have made admissions confirming the information against them in our possession—a fact which inferentially strengthens the case which we have against the sixth, whom, for convenience sake, I will call '*B*'.

I shall have something more to say in proof of the guilt of '*B*' while dealing with the second question which I have to answer, namely, was this crime committed in pursuance of the objects of a conspiracy against the State ?

Let me give my answer to that question. First of all there is the reply made by one of the persons concerned to the written charges made against him. He was charged, among other things, with being a member of a revolutionary party whose object is the overthrow of British rule in India, and with having taken part in the Armenian Street dacoity, a crime committed by the revolutionary party.

He admitted the correctness of all the charges against him, and stated so in his own handwriting.

We have also the replies given to similar charges by another of those concerned. They read as follows :—'As regards the first charge, my reply is that I was a member of the revolutionary party whose object is to overthrow British rule in India'.

Second.—' In pursuance of the objects of the conspiracy I confess that I took part armed in the Armenian Street dacoity on 7th May 1917. This dacoity was the work of the revolutionary party of which I was a member'. Here, then, we have it definitely stated by two of those who took part in the crime that they were members of a revolutionary society and that, as such, they assisted in the commission of this dacoity.

Now let me adduce evidence in connection with the dead man '*A*'. He is mentioned in a mysterious unsigned letter, dated the 24th September 1916, which came into the hands of Government. In the course of the letter, the writer asks if '*A*' is ready to abscond and go to a certain place where he would have to undergo several hardships ; it is added that he will have to abandon all thoughts of prosecuting his studies and will have to turn a deaf ear to the tears and entreaties of his relations. The handwriting of this letter has been identified as that of '*B*'. At the time at which this letter was written '*A*' was a student at the Ripon College ; and it is, surely, something

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more than a mere coincidence that he should have disappeared at about the time that the letter was written, and that his whereabouts, up to the time of his death, should have remained unknown, both to the college authorities and to his parents. Finally, let me set forth further evidence against '*B*'. Before this man's arrest he was spoken against by no less than 19 persons, every one of whom confessed to being guilty of revolutionary conspiracy. Letters in his handwriting had also been found with stolen arms and ammunition. When he was arrested, he had on his person, a fully loaded revolver which he endeavoured to use, and a phial of poison, together with revolutionary letters. When charged he did not deny the charges, he merely wrote at the foot of the charge sheet 'I refuse to answer these charges', and signed his name.

These facts are surely sufficient in themselves to prove that this man is not an innocent person; and if I was desirous merely of proving the guilt of this individual, I should be content to leave the matter there. But I am anxious to do more than that. I am anxious to make it quite clear to all reasonable men, *firstly*, that the corroborative evidence which we have against the men is so great as practically to eliminate the possibility of our making mistakes; and *secondly*, to show that they are members of a widespread revolutionary conspiracy. In order to do this, I propose to trace an altogether different line of evidence which we have against this same individual. In 1916, a person who had long been indulging in revolutionary activities and whom I will call '*C*', made a statement to certain officers of Government. This statement implicated a considerable number of persons, and the question which Government had to ask themselves was this—'is the statement a true statement, or is it a fabrication inspired by private enmity against those implicated, or (to take another possibility) has he been tutored by the Police'? Fortunately, before proceeding under the Defence of India Act against those implicated by him, Government were given striking proof of the truth of some part, at any rate, of his statement. He had spoken of a certain place as being the resort of certain conspirators. The place in question was visited one night by the Police. The Police were attacked with firearms, but after a struggle they succeeded in arresting two of their opponents, one armed with a mauser pistol, and the other a person at whose house high explosives had previously been discovered and who had been evading arrest ever since.

After this striking example of '*C's*' reliability, Government felt justified in proceeding against those whom he accused of being engaged in revolutionary activities and two of those whom I will call '*D*' and '*E*' made statements verifying the information already given by '*C*'. '*D*' mentioned a certain person as being a custodian of arms. Here then was another chance of testing the truth of the information which had been given to us. This man's house was searched and there were found there two bottles of strong acid, seditious leaflets 'from the office of the Director-General, Indian Revolution, Vigilance Department', and other incriminating articles.

Now, with regard to '*E*'. He gave information against '*B*' of the Armenian Street dacoity. As a result of further information a certain house was searched, and in a locked almirah the following articles were found:—Four of the mauser pistols stolen from Messrs. Rodda & Co., mauser cartridges, a revolver, revolver cartridges, a letter containing detailed proposals for a rising against the British, and other letters similar to those which I spoke of earlier as being in the handwriting of '*B*'.

The letter which contained detailed proposals for a rising mentioned the fact that certain mauser pistols were hidden in a certain place. On search being made there seven more of the pistols stolen from Messrs. Rodda & Co. were recovered. The other letters referred to a person whom I will call '*F*'. On being arrested this man confessed his guilt and detailed the activities of '*B*'. It would be possible to go on giving corroborative evidence against

'*B*'; but I have said enough, I hope, to show that we have a good deal more to act on than the idle tales of informers or the mere suspicion of the Police. The case of '*B*' seemed to me to be a good one to use by way of illustration, because it has been definitely stated that he has been dealt with on the suspicion of the Police. In a petition from his father asking that he should not be dealt with under the Regulation III of 1818 appear these words:—'That the petitioner believes that the said person was arrested on the suspicion of the Police'.

It may be said, 'if the evidence against these men is so strong why do you not prosecute them in the Courts'? I wish we could, but there are, unfortunately, two grave difficulties in the way of our doing so. Much of our evidence, including the numerous confessions made to us by persons who have actually taken part in these crimes, consists of statements made to the Police. In England, such statements made after due warning has been given, are admissible as evidence before the Courts; here they are inadmissible under the provisions of the Indian Evidence Act. There you have a difficulty which can only be overcome with the assent of the witnesses themselves, and that assent they have not so far been willing to give.

The second great difficulty is this—that there is an unfortunate disinclination on the part of the public to come forward and give evidence against these persons. We cannot compel those who are in a position to give evidence to go into the witness-box; and it is largely on this account that we have been given the powers conferred upon us by the Defence of India Act. At the same time it must not be assumed—as some of our critics are prone to do—that we do not take every opportunity of bringing these cases into the Courts. We are very far from regarding the Defence of India Act as a satisfactory substitute for prosecution in the Courts. We regard it as a special measure for dealing with a special situation in regard to which the ordinary procedure, for reasons to which I have already referred, has proved impracticable. In order that I may make this clear let me point out to the Council that *pari passu* with the operation of the Defence of India Act we have successfully proceeded against a considerable number of revolutionary criminals in the ordinary Courts. Since the Defence of India Act was put into operation early in 1915, we have taken 26 separate cases into Court. Of the 54 persons whom we have prosecuted under the Indian Penal Code, the Criminal Procedure Code or under the Arms Act, 7 only have been discharged in the first instance, 1 acquitted in the first instance, and 2 discharged on appeal to the High Court.

Now, I have given you a very frank statement of our case. I have given you actual examples of the kind of men we are dealing with and of the kind of evidence upon which we act. I have explained the difficulties which too often stand in the way of our taking these cases into the Courts. And having done so I put this question to you with complete confidence—'Do you seriously suggest that it would be in the best interests of society at large that these men should be released to continue their career of conspiracy and crime'? There can, surely, be but one answer to that question. At any rate, Government are convinced that they have a sacred duty towards the rising generation in Bengal, namely, that of doing what lies within their power to protect them against being led into ways which can only lead to dishonour and disaster.

And, lest any one be tempted to think that the case I have chosen for purposes of illustration is an exceptional one, let me ask him to consider these facts—over 200 persons dealt with under the Defence of India Act alone have confessed to definite complicity in a revolutionary movement; nearly 300 others are implicated by their associates, the evidence of their complicity being corroborated in every case by other evidence of an entirely independent character. Rather more than 200 others are implicated by their

own incriminating statements, or by finds of arms or seditious literature or by the circumstances of their arrest, the evidence in nearly all of these cases being confirmed by information obtained from other sources. In the course of their investigations into this form of crime the Police have made more than 60 finds of arms and ammunition and nearly 100 finds of seditious literature apart from revolutionary vows and leaflets. Evidence in regard to the use and custody of arms has been obtained against nearly 400 interned persons. The charges against a very large number of those against whom proceedings have been taken are, I am sorry to say, of a serious character. No less than 60 are charged with murder, and over 90 with abetment of, or preparations for, or plots for the same crime. Nearly 270 are charged with dacoity and over 70 more with abetment of, or preparations for dacoity, or with lurking to commit crime. Again, as many as 67 of the persons interned are charged with steps taken to assist the King's enemies or to stir up mutiny in the Army.

I do not say for one moment that all those dealt with are guilty in equal degree. Certainly not. There are many who have been led to join the revolutionary movement under a misapprehension as to what they were doing. In many cases the regret which is often expressed by such men for their past action is no doubt perfectly genuine. And it is the policy of Government, deliberately adopted with a full knowledge of all the facts, steadily to release such men as can in our judgment be set free without unduly endangering the safety of society and the public peace. Men who have been guilty only in a minor degree and for whose good behaviour security can be obtained, have been set at liberty from time to time during the past year. During the past three months ending with 31st October, 34 persons have been released on guarantees for their good behaviour being given; and during the same period 31 persons who were interned away from their homes, have been granted home domicile. These men are on their honour. It is up to them to see that they do not abuse the trust which has been placed in them.

Now I have one thing more to say. The administration of this Act is peculiarly distasteful to us, but it has been forced upon us by a grave necessity, and however disagreeable our duty, it is one from which we cannot shrink.

We have taken the most careful precautions against the chance of our committing injustice by any action which we are driven to take by virtue of it. Every person dealt with under it is charged in writing with a definite offence, and is invited to write his reply. The whole of the evidence against him is submitted to a Judicial officer for his opinion. I do not believe the Act could have been administered with greater care or with more consideration for those against whom it has been employed. Indeed Government—and if I may say so the public also—owe a deep debt of gratitude to the Hon'ble Mr. Cumming for the unfailing care, the unwearying patience and the tact with which he has discharged the heavy duties which have fallen to his lot in this connection.

Nor can I let this opportunity pass without paying a tribute to the Police, both European and Indian, who, in circumstances of the greatest difficulty and in face of much calumny, have carried out their disagreeable and often dangerous duty, with loyal devotion to Government and to the public, and with conspicuous consideration towards those against whom they have been obliged to act. I have had some opportunities of visiting persons under restraint, and I am pretty confident that accusations of spiteful or unfair treatment brought against the Police, whether they be officers of the Criminal Investigation Department or of the District Forces, whose duty it is to supervise the movements and conduct of those under restraint, would meet with little support from the détenus themselves.

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But while I hold this belief I realize that there may be persons among the public who are genuinely apprehensive less injustice should be done. The information which is at my disposal is not open to them; and this being so, both I myself and my colleagues have given our most careful thought to the question of providing safeguards which will re-assure the public at large. The proposal to submit all the evidence against a suspected person to a Judicial officer before a decision in his case was taken, emanated from the Bengal Government. That procedure, as I have already pointed out, is invariably followed by us. If, however, it is suggested that a small Judicial Committee would be regarded as a more satisfactory form of safeguard against possible error on our part, we should be prepared in future to submit our cases against all persons whom we propose to place under restraint under the Defence of India Act, the Ingress Ordinance or Regulation III of 1818, to such a body consisting of two Judges for their opinion. This would ensure that the case of every individual concerned was investigated and pronounced upon by an impartial body having no interest in his conviction.

So much for the question from the point of view of the individual. But we are anxious to do more than that. Our contention is that there is in existence in Bengal a widespread conspiracy for the overthrow of Government; and such information, as I have been able to give you to-day, should show, I think, that we have good grounds for our belief. Nevertheless we are anxious that the whole matter should be submitted to a strong, outside, and wholly disinterested body for investigation and decision. One of the earliest acts of the Government, of which I am the head, was to ask the Government of India to assist us by appointing a strong Committee of Indians and Europeans, with a Judge of the High Court of England at its head, to undertake this task. I am glad to be able to inform you that our request has met with a willing response. With the good offices of the Secretary of State the services of an eminent Judge of the King's Bench Division have been obtained, and an announcement may be looked for shortly giving the names of those who will serve with him. It is our intention to place before this body the whole of the material in connection with the revolutionary movement which we possess, and to ask them for their verdict.

I have to thank Hon'ble Members for the patience with which they have listened to me. I have but one word more to add. No sane Government willingly employs measures of repression. I can say confidently for the Government of Bengal that such measures are resorted to only under stress of grave necessity. It was not until outrage upon outrage had been committed that extraordinary powers were reluctantly made use of. The remedy lies in the hands of those themselves against whom these powers are used. Let them cease preparing and fomenting rebellion; and the necessity for the counter measures which we take will disappear.

I would that the appeal which I now make might find its way into every home in Bengal. A new chapter is opening in the history of India. How that chapter will be written depends upon the attitude of all those whose activities will go to form its subject-matter. Will it, when it is written, tell a melancholy story of racial antagonism flourishing like a poisonous weed in an atmosphere of latent distrust and of thinly-veiled suspicion; of irritation seething and bubbling until it breaks out like the symptoms of some fell disease, in deeds of violence and disorder; of bitterness and resentment on one side, of severity and repression on the other? I trust not. Most devoutly do I pray that this may not be so. And why indeed, need it be so? May not the story to be told be of a very different kind? May it not tell of the men of Great Britain and of India working together in helpful co-operation? Of the great qualities of the people of this Presidency devoted to the social betterment of all classes and communities and to the building up of a political edifice of which both Great Britain and India may be proud? Let those in this Presidency who have consecrated

their energies to the wrongful cause of rebellion and destruction pause and let them ask themselves what is the end towards which they are travelling, and what sort of a road it is by which they seek to reach their goal. Then let them try to realize that there is ample scope for the help of all in the vast work of reconstruction which must be undertaken when civilization emerges from its present travail. Let them ask themselves if they should not rather strive to help East and West to join hands in raising up on the ruins of this world-wide conflagration a future for mankind worthy of the infinite sacrifice which humanity has been called upon to make.

That is the story which, I trust, will fill the chapter of the history of Great Britain and India which is now about to open."

LEGISLATIVE BUSINESS—ITEM No. 3.

THE BENGAL TENANCY (AMENDMENT) BILL, 1917.

The Hon'ble Mr. Cumming presented the Report of the Select Committee on the Bengal Tenancy (Amendment) Bill, 1917.

He said :—

"My Lord, I beg to present the Report of the Select Committee on the Bengal Tenancy (Amendment) Bill, 1917.

The Committee have been able to submit an unanimous Report and meet practically all the criticisms which the circulation of the Bill elicited. The opinions which were received indicated that there was some misapprehension as to the object of the Bill, and this misapprehension was also apparent when the Bill was referred to a Select Committee. The Bill was drafted primarily with reference to the Santhals residing in the western districts of this Province; and its primary purpose was to prevent the alienation of land, particularly to money-lenders, and to maintain the communal system as far as possible. The Bill was not directed against landlords as such, and the principles proposed were not new; they had already been adopted in other parts of India for the purpose of dealing with similar problems. The Santhals in the areas in question in the Birbhum, Bankura and Midnapur districts know the protection that is given to their tribe in the neighbouring districts, especially in their Magna Charta, Regulation III of 1872, for the Santhal Parganas. They also know their own weaknesses, and in order that they should be protected against themselves, they have themselves asked that their power of alienation of land should be restricted; and finally the opinion of all officials and non-officials who have had personal knowledge of the areas in question, both Indians and Europeans, is practically overwhelming in favour of such prohibition of alienation.

The two main subjects of criticism were, *first*, the absence of a definition of the term 'aboriginal' and, *secondly*, the powers which it was proposed to give to the Collector. As regards the first point, the Bill, as now drafted, will apply at once to the Santhals in the area in question, and power has been taken to notify other aboriginals, a definite list of whom is given in the Schedule included in the Bill. As regards the second point, it is now proposed that there will be no interference if a landlord settles a holding with an aboriginal, and that a landlord will have power to deal with the land in any way he likes including settlement with a non-aboriginal, if in the meantime the Collector has tried to settle a particular land with an aboriginal and has not succeeded. Furthermore, the Select Committee have recommended that the execution of a decree of the Civil Court shall not be transferred to the Collector as proposed in the original draft, but should remain with the Civil Court.

With these remarks, My Lord, I beg to present the Report of the Select Committee, and to add that under the rules the latest time for the receipt of any amendments will be 11 A.M. on the 3rd December".

LIST OF BUSINESS—ITEM No. 4.

THE CALCUTTA MUNICIPAL BILL, 1917.

The Hon'ble SIR S. P. SINHA moved for leave to introduce a Bill to amend and consolidate the law relating to the Municipal affairs of the Town and Suburbs of Calcutta.

He said :—

"My Lord, the Bill is designed to take the place of the present Act which was passed so late as 1899, as well as of the amending legislation in the interval which has elapsed since that date. My Lord, I venture to think that before I describe to the Council the main features of this Bill, it might be both interesting and at the later stages perhaps helpful if I state as shortly as I can and I hope without tiring the patience of the Council, a history of the municipal administration of this great city—a history which I think testifies alike to the public spirit of its citizens and to the far-sighted wisdom of the Government ; and for the greater part of these facts I am indebted to the admirable book which Mr. Goode has written on the Corporation over which he so ably presided lately. Beginning with the autocratic control of one of the Civil Servants of the old Company, styled the Zamindar of Calcutta, and later the Collector, the civic administration of Calcutta was vested subsequently in Justices of the Peace appointed by the Government under a Statute of 37 G. III (1794). The authority of these Justices of the Peace was practically superseded again by the autocratic control of an officer then called the Chief Magistrate. He combined in his person the offices now held by the Chairman of the Corporation, the Commissioner of Police and the Chief Presidency Magistrate, duties obviously beyond the capacity of any one man. On the written recommendation of the Chief Magistrate himself, an attempt was made as early as 1833 to introduce an element of representation into Municipal administration. On Mr. Macfarlane's advice an attempt was made in the year 1833 to form Advisory Committees, called Municipal Committees, to be elected by the rate-payers in each of the four divisions into which the town was then divided, but unfortunately the attempt failed to elicit public interest. Later, on the basis of a report of a Committee presided over by Sir John Peter Grant, Act XXIV of 1840 was passed, which empowered the Government on the application of two-thirds of the rate-payers in any one of the four divisions of the town to entrust to them the assessment, collection and management of the rates of their division. No such application was, however, made and this attempt to introduce a system of representation never came into effective operation. Yet another attempt was made to introduce the elective principle in 1847, when the conservancy functions of the Justices were transferred by Act XVI of 1847 to a Board of 7 Commissioners, of whom 3 were to be appointed by the Government and 1 elected by the rate-payers of each of the four divisions. This system also proved a failure and the operation of the elective system was suspended by Act XXVIII of 1854, which empowered the Lieutenant-Governor to fill up vacancies on the Board. The number of Commissioners was subsequently reduced to 3. Then came the first Municipal Act, viz., that of 1863 by which the property of the town of Calcutta and the general management of its Municipal affairs were entrusted to a corporation, consisting of all Justices of the Peace for Bengal, Bihar and Orissa, who might be resident in Calcutta along with the Justices of the Peace for the town. The appointment of their Chairman rested with the Government, but he might be removed by a resolution of two-thirds of the Justices. The Justices were to nominate their own Vice-Chairman, who was to preside over their meetings in the absence of the Chairman, but the appointment required the Lieutenant-Governor's approval. The powers of the Chairman and Vice-Chairman were to be exercised in carrying out the orders of the Justices or in executing works sanctioned by

them and generally in the management of Municipal business. They were not to act in opposition to, or in contravention of any orders of the Justices nor to usurp any power expressly reserved to the Justices; Committees of a general or special nature might be appointed by the Justices at their discretion, the Chairman or Vice-Chairman being a member of every such Committee. The appointment of the superior staff consisting of the Secretary, Engineer, Surveyor, Health Officer, Collector and Assessor was made by the Justices. All minor officials were appointed by the Chairman, subject to the confirmation of the Justices in the case of appointments carrying a higher salary than Rs. 200 a month. A tax on trades and professions was introduced, the maximum house-rate was fixed at 10 per cent, and provision was made for the imposition of a water-rate. The right of the Justices to expend Municipal funds as they thought fit was limited only by the obligation to obtain Government sanction for any work estimated to cost more than Rs. 5,000. The clumsiness of the machinery of a body composed of such a large number and the want of definition and distinction between the powers of the Justices and the Executive gave rise to considerable popular feeling against the new constitution; and though solid results were achieved under the system, Sir Richard Temple considered that a smaller body of Commissioners would prove more suitable for Executive purposes and he was willing to consider the introduction of the elective principle which his predecessor, Sir George Campbell, had favoured. Accordingly Act IV of 1876 was passed, under which two-thirds of the Commissioners who numbered 72, exclusive of the Chairman and Vice-Chairman, were to be elected by the rate-payers, the remainder being appointed by the Local Government, a provision over which there was prolonged discussion at the time. The electoral divisions were to correspond with the thanas or Police divisions; they were 18 in number and were termed 'wards'. Six of these divisions returned only two Commissioners, while 12 had each three representatives. The appointment of the Chairman who might hold the office of Commissioner of Police, of the Vice-Chairman and other officers, as well as the appointment of Committees, was governed by provisions practically identical with those contained in Act VI of 1863, except that under the new Act the appointment of all statutory officers was subject to the approval of the Local Government. There was a provision enabling the Local Government to intervene if at any time it was of opinion that the Commissioners had failed in their conservancy duties.

Origin of the General Committee.—A large deliberative body was, however, found inconvenient for dealing with the details of business and in 1877 a Committee which had no statutory sanction was appointed under the name of the 'Town Council' in which were merged the finance, roads, conservancy and water-supply committees, etc. In 1881, the Town Council was vested with a legal status and it became a committee for the consideration of such matters as the Commissioners might think fit to refer to it with a view to advise and aid the Chairman in the discharge of any portion of his executive work. It became subsequently known as the 'General Committee'.

As the result of the report of an influential Commission appointed in 1884, Act II of 1888, was passed, the most important changes introduced being the following:—

(1) The increase in the number of Commissioners to 75, of whom 15 were to be appointed by the Local Government, 50 to be elected by rate-payers (2 by each of the 25 wards into which the Municipality with the addition of the suburban areas was divided), 4 to be selected by the Bengal Chamber of Commerce, 4 by the Trades Association and 2 by the Port Commissioners.

(2) The Town Council was reconstituted as the General Committee consisting of 18 members of whom 12 were to be chosen by the elected Commissioners and 6 by the nominated Commissioners.

(3) The Act made obligatory—the expenditure of two lakhs a year for drainage works and the improvement of bustees and three lakhs for the improvement of the area newly added to the town.

This Act continued in operation without any serious complaints until 1896 when Plague first appeared in Calcutta and a Medical Board was appointed and five medical men deputed to report on the state of the town. The reports they submitted disclosed a state of things constituting a standing menace to the health of the city. After considerable public controversy, the Government of Bengal reported to the Government of India in 1898 that the constitution of the Municipality was ill-adapted to stand the strain of a grave and sudden emergency and failed to secure the prompt and continuous executive action which was necessary in view of the fact that the sanitation and conservancy of the great Indian maritime cities had become a matter of international concern. The Government was of opinion that the Act vested in the Commissioners all powers whether they were such as a large deliberative body could properly exercise or not. It allowed the Chairman to exercise all the powers vested in the Commissioners, except those reserved to the Commissioners in meeting, subject to such limitations and conditions as might be imposed before or after the Chairman acted under this power by a resolution of the Commissioners. It further conferred an unlimited power of controlling the Chairman by the action of Committees and it thus failed clearly to define the powers of the executive. The defects of the working of Act II of 1888 were graphically described by Sir Herbert Risley in introducing the Calcutta Municipal Bill of 1898 which subsequently became Act III of 1899. Shortly the accusation was that there was too much talk, that the Commissioners failed in driving power and that the executive had no responsible powers at all and were liable to be interfered with at any and every stage of their work. The remedy proposed was to provide an efficient executive and to interpose a small working committee between the Chairman and the main body of the Commissioners. The functions of the three authorities—the Corporation, the General Committee and the Chairman—were to be precisely defined and carefully distinguished. All powers conferred by the Bill were distributed among these authorities with reference to their fitness to exercise them.

After a prolonged controversy, and some remarkable changes during the progress of the Bill, to be described later, it was passed by the Legislature and became Act III of 1899, the main constitutional features of which are the creation of the three co-ordinate authorities above described, and the reduction of the number of Commissioners from 75 to 50, 25 elected by the wards, 15 appointed by the Government, 4 by the Bengal Chamber of Commerce, 4 by the Calcutta Trades Association, and 2 by the Port Trust.

The Bill itself had proposed not to alter the number of Commissioners but to secure increased executive action by means of the small Committee that I have mentioned. Members will remember that after the Act was passed, 28 of the most efficient members of the Corporation left the body, refusing to work therein; many of them refused even to the last to work in the Corporation, though a few afterwards returned. Still, whatever the merits of the controversy, for the first three years after the passing of that Act, the reports of the Corporation and the Government resolutions thereon disclosed very satisfactory working; every department was thoroughly overhauled and in particular the Collection Department was improved—though in course of time some friction appears to have developed between the three co-ordinate authorities, the Corporation, the General Committee and the Chairman. But notwithstanding that, I think, the Corporation is entitled to claim that there has been much improvement in their administration in every direction under the existing constitution. Now, though I have dwelt at what might seem unnecessary length regarding the history of the Municipal administration of Calcutta, I have done so purposely, because I think it might be helpful at later stages of the consideration of the Bill which I am

about to introduce and because to my mind there emerge from this long history, a history which can undoubtedly be claimed as one of continued progress and development, certain inevitable conclusions. The conclusions which I think emerge from this history are that *firstly*, executive power and responsibility for the administration of the affairs of a great city should be vested not in a number of individuals, not even in a Committee, but in a single individual, on condition that proper safeguards are provided against arbitrary action. *Secondly*, that the general policy and conduct of such administration should be controlled by representatives of the rate-payers, and *thirdly*, that provision should be made for the due representation of all classes and interests, and that in cases where that is not possible by reason of existing circumstances, the Government should have the power of nomination. Now, though this Act of 1899 has worked fairly satisfactorily, as it has been in work for the past 18 years, doubts and difficulties have, from time to time, arisen with regard to its construction and practical operation, and there has been also a growing volume of public opinion that the constitution of the Corporation should be further liberalized.

The present Bill is the result of prolonged consideration of the various opinions received, in consultation with the Government of India for over five years, *i.e.*, from 1912 to 1917.

The scheme of the Bill is so fully explained in the Statement of Objects and Reasons that I do not propose to go through its provisions in any detail. I may mention, however, that the technical chapters and schedules of the Bill, *e.g.*, as to buildings, water-supply, etc., have been framed after careful consideration by experts and in the light of the practical experience of the Corporation itself. The main features of the Bill are—

(*i*) the restoration of the old number of Commissioners, viz., 75;

(*ii*) that Muhammadans should elect their representatives by separate District Electorates, being at the same time precluded from taking part in the general or ward elections;

(*iii*) the abolition of plural voting;

(*iv*) the appointment of a Commissioner by the Government as the head of the Executive and the election of a Chairman by the Corporation to preside at its meetings; and

(*v*) the abolition of the General Committee and the creation of a General Appeals Committee and a Buildings Appeals Committee.

In the address which the Chairman and the Commissioners of the Calcutta Corporation presented on behalf of the citizens of Calcutta, to His Excellency Lord Carmichael, on his arrival in Calcutta, to take up the Government of the Presidency, they expressed the opinion that their administration would not be effective without some radical alterations in the law and in the constitution of the Corporation, and they invited consideration of the suggestions of the Royal Commission on Decentralization regarding the Corporation. Several representations were subsequently submitted to Government from private individuals, as well as from representative Associations, and various proposals were suggested for the consideration of Government with a view to the amendment of the Calcutta Municipal Act, 1899. The Government of Lord Carmichael realized that there was a widespread feeling in favour of amending the Act, and in particular of an alteration in the constitution of the Corporation. The various proposals and suggestions which had been put forward were considered and examined, and a Resolution was published in 1913, inviting the views of the Calcutta Corporation and the general public on the main alterations suggested in the law, which related

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The importance of the Marwari community, the Calcutta University and the Bengal National Chamber of Commerce has been recognized by representation on the Corporation, an increase of two in the representatives of the Bengal Chamber of Commerce, and of one in those of the Calcutta Trades Association being also made. The number of Government nominees has at the same time been reduced by three. the total strength of the Corporation being thus raised from 50 to 75 as shown below :—

Existing constitution.

Elected Commissioners (one for each ward)		... ...	25
Commissioners appointed by the Bengal Chamber of Commerce		...	4
Ditto	ditto	Calcutta Tades Association ...	4
Ditto	ditto	Port Trust	2
Ditto	ditto	Government	15
		Total ...	50

Proposed constitution.

Clause 8 of the Bill.

Elected Ward Councillors (25 *plus* 12 extra representatives for the 12 most populous Wards)		37
Elected Muhammadan Councillors		9
Appointed by the Bengal Chamber of Commerce		6
Ditto	Calcutta Trades Association	5
Ditto	Port Commissioners	2
Ditto	University of Calcutta	1
Ditto	Marwari Association	2
Ditto	Bengal National Chamber of Commerce ...	1
Ditto	Government	12
	Total ...	75

It is further proposed that plural voting should be practically abolished (clause 38) in order to make the constitution of the Corporation more democratic. The provisions relative to voting in the existing Act have been revised with a view to do away with the system under which a man having the necessary qualifications in regard to two or more wards could vote in each of those wards, subject to certain limitations, while a voter was also allowed to have extra votes in a ward according to the aggregate value of his land and buildings on it. The only form of plural voting recognized in the Bill is that a qualified person is allowed as many votes in a ward as there are vacancies, provided that he does not give more than one vote to any one candidate. Clause 38 otherwise reproduces the existing voting qualifications with one addition, viz., that the owners of huts in bustees valued at Rs. 200 per annum or upwards have been given the right to vote.

Administrative machinery.—The recommendations of the Royal Commission upon Decentralization have been followed in the proposal to adopt the system in force in Bombay by vesting all executive authority in a Municipal Commissioner appointed by Government, who will not be a member of the Corporation. Under the present law, the Chairman is at once the Head of the Executive of the Corporation and of the Corporation as a deliberative body, which sits in judgment over the action of the executive, and is thus frequently called on to give a vote, and sometimes even a casting vote in favour of his own actions. He has to preside at all meetings of the Corporation and the General Committee, and practically of all the Special and Sub-Committees, which occupy a considerable portion of his time. The modification adopted in the Bill will relieve the Head of the Executive from the dual functions which he now exercises, and will allow him to devote a greater measure of his time and attention to his executive duties. He will have the right of attending all meetings whether of the Corporation or of Committees and of taking part in the discussions but he will not be entitled to vote on

any question considered at such meetings. A President of the Corporation will be elected by the Municipal Commissioners (who will be called Councillors in future) from among their own number and his duties will be limited to presiding at the Corporation meetings. In his absence, a Vice-President will be elected for the same purpose by the Councillors. The Municipal Commissioners will be assisted by the Deputy Commissioner who will also be appointed by Government, and the present post of Vice-Chairman will be abolished.

The General Committee, which is constituted under section 9 of the existing Act, has been the subject of much discussion, and there is a strong body of opinion, including that of the Corporation itself, in favour of the abolition of this Committee and the transfer of its powers, partly to the Corporation, and partly to the Municipal Commissioner. On the score of inconvenience arising from the existence of three separate co-ordinate authorities, viz., the Chairman, the General Committee and the Corporation whose functions sometimes overlap, the abolition of the General Committee is considered desirable. Moreover, the principle adopted in the Bill is that all executive functions or functions entailing prompt action should be entrusted to the Municipal Commissioner, and that the Corporation as the deliberative assembly should direct the general policy of the administration, and exercise powers of control. This leaves no room in the constitution for the General Committee. Its powers and duties have, therefore, been distributed between the Corporation and the Municipal Commissioner, according as they relate, respectively, to general policy or executive functions. The result is a considerable increase in the powers of both authorities, but it is thought that the Corporation would experience no difficulty in exercising their extended powers through the agency of Standing and Special Committees, and that the existence of a right of appeal in all important matters should effectively check any undue concentration of authority in the Commissioner.

The Commissioner would thus have extensive powers of dealing with matters of sanitation and city improvement which will affect the interests of house-holders and other private individuals. It is considered desirable that a right of appeal should be granted to persons affected by the exercise of the more important of the Commissioner's powers and it is, therefore, proposed to constitute two separate Appeals Committees to hear appeals against orders of the Commissioner in two different classes of cases.

These Committees are—

(1) *Clause 9.*—The General Appeals Committee which will consist of seven Councillors (of whom not more than four shall be elected Councillors) to be appointed annually by the Corporation to hear appeals in cases (other than cases arising out of the application of the building rules) in which an appeal to that Committee is expressly provided for in the Bill, or in any bye-law, and

(2) *Clause 10.*—The *Buildings Appeals Committee* which will consist of three members (who need not be Councillors) appointed annually—one by the Corporation and two by the Local Government—to hear appeals in cases in which an appeal to that Committee is provided for in the Bill in the Chapter and Schedule dealing with the erection of buildings, or in any bye-law relating to the application of the building rules.

It has been thought desirable to provide a separate appellate authority (that is the Buildings Appeals Committee) to hear appeals in cases relating to the application of the building rules which are of a technical nature, and to leave it open to the Corporation, as well as to the Local Government to appoint experts to be members of this Committee. The two Appeals Committees above referred to will take the place of the General Committee

only so far as the latter's powers to hear appeals is concerned, and will constitute a kind of Court of Equity between the Commissioner and the rate-payers. Their decisions are to be final, but they will be in no sense co-ordinate Municipal authorities.

It is proposed to amplify the provisions contained in section 96 of the existing Act relating to the appointment of Special Committees. The Bill provides for the appointment of two kinds of Committees, viz., Standing Committees and Special Committees. The Corporation are authorized to delegate any of their powers, duties or functions to Standing Committees. These Committees will deal with all matters comprised in their delegation as they arise, and their proceedings, when confirmed by the Corporation, will become resolutions of that body. Special Committees are intended to be appointed to enquire into and report upon specific matters which may arise in the course of the administration and they will confine their enquiry to such matters. They will ordinarily deal with important questions in which a full enquiry is necessary, while the Standing Committees will deal with matters of ordinary administration. With regard to Standing Committees, however, certain special provisions have been introduced. The number of members of such Committees is limited to ten, and no Councillor may be a member of more than two Standing Committees or the President of more than one. The object of these provisions is to induce Councillors to take a special interest in some particular branch or branches of the administration, and thus enhance the efficiency of the work done by these Committees. It should be remembered that the importance of the Standing Committees will be considerably increased owing to the abolition of the General Committee.

Under the existing Act, the different Municipal rates are levied as one consolidated rate, but the various funds are nevertheless kept distinct. This only leads to complications in the accounts without producing any corresponding advantage. The Bill provides for the amalgamation of the four existing funds and for only one consolidated rate which will not exceed the maximum of 23 per cent. on the annual valuation as at present levied under Chapter XII of the existing Act.

A special procedure will be adopted, as in Bombay, for the assessment of Government buildings and lands, while, unlike Bombay, no separate rate of taxation will be allowed in the case of Government properties.

Two changes of some importance are proposed in Chapter XIII of the Act relating to the tax on carriages and animals. It is proposed to introduce a tax on dogs. The tax proposed is Rs. 2 per annum, and is intended to act more as a check upon the growing nuisance of ownerless dogs than as a means of revenue. An increase is also proposed in the connected schedule—No. VII—in the tax on motor-cars, making the amount payable on all cars of approximately 12 horse-power or over, the same as that payable on a carriage and a pair of horses.

Some additional provisions have also been introduced with regard to the registration of carts. Under the present law, road-trains, steam-lorries and similar vehicles pay the same tax as bullock-carts, viz., Rs. 4, every half-year. It is proposed to raise this tax to Rs. 24 for all vehicles which come under the definition of 'cart' propelled by mechanical power and Rs. 12 for trailers drawn by such vehicles. Provision has also been made to prescribe by means of bye-laws a minimum width for the tyres of carts and to increase this width proportionately to the load. It is also provided that all cart-drivers must be registered and must have a number assigned to them. This is intended to check the large number of thefts from carts which have lately been complained of by the Bengal Chamber of Commerce and other mercantile bodies. These thefts cannot be traced to any one at present and it is thought that registration will facilitate the identification of drivers of carts from which thefts occur.

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The provision of Chapter XXIII of the existing Act relating to streets and public places have been revised with a view to distinguishing more clearly between the 'street alignment' and the 'building line'.

Two points deserve mention in connection with the regulation of buildings. In accordance with the recommendation of the Corporation, provision has been made for the licensing of building surveyors. No plan of a proposed new building will be sanctioned unless it is prepared and signed by a licensed building surveyor, and the construction of all buildings costing Rs. 5,000 or upwards must be supervised by a licensed building surveyor or by a person approved by the Commissioner. It is also proposed to allow an appeal to the Buildings Appeals Committee against practically all orders of the Commissioner relating to the building rules. Under the existing law, the appellate power in such cases has frequently been abused in that there has been a tendency to relax the rules in almost every case. Having regard, however, to the constitution of the proposed Buildings Appeals Committee, which is to be a more or less expert body, it is thought desirable to enlarge the right of appeal.

The development of building sites which, owing to size or shape or to the want of road frontage or proper means of access, are unsuitable for building upon, is to a certain extent provided for by sections 364 to 366 of the existing Act, but there are so many practical difficulties in the way that these sections have never actually been worked. In Bombay the important question of the development of building sites is dealt with in a separate Act (Bombay Act I of 1915) on the lines of the Housing, Town-planning, etc., Act, 1909 (9 Edw. 7, c. 44), and it is thought that it will be best to deal with the development of building sites in Calcutta in a separate Bill drawn on somewhat the same lines. It is proposed, therefore, to omit altogether from the present Bill the provisions of sections 364 to 366 of the existing Act.

The question of food adulteration is dealt with in the Bill in a more comprehensive manner than has been attempted hitherto. Hon'ble Members will remember the Ghee Act for Calcutta which was passed as an emergency measure just before the last Poojahs. That Act is now proposed to be repealed, as its provisions are incorporated in the Bill. A definition of 'adulterated' has been inserted in clause 3, and it is made an offence to sell or expose for sale, manufacture or store for sale any article of human food which comes within that definition. Besides this, clause 126 makes special provision for the regulation of the sale of milk, ghee, mustard oil and any other article of food or any drug which may hereafter be notified in that behalf by the Local Government. A strict standard of purity is prescribed in respect of each of these articles, and it is made an offence to sell, expose for sale, manufacture or store for sale, anything which falls short of this standard. Food adulteration has reached alarming proportions in Calcutta and the existing law has entirely failed to check it. In the interests of the public health, it is considered necessary to have recourse to more drastic legislation, and in particular to provide for the purity of the main staple articles of food which appear to be most liable to adulteration.

Every change of any importance which it is proposed to make in the existing law is explained in detail in the Notes on Clauses appended to the Bill; it being thought desirable, in the case of a measure of this magnitude and importance to afford the Council the fullest possible assistance in its consideration. A table has also been prepared and annexed to the Bill showing which provisions of the existing Act have been omitted from the Bill and giving brief reasons for such omissions. The table also indicates where the provisions of the existing Act which have been retained are reproduced in the Bill."

The motion was put and agreed to.

LIST OF BUSINESS—ITEMS Nos. 5 and 6.

THE BENGAL PUBLIC DEMANDS RECOVERY (AMENDMENT) BILL, 1917.

The Hon'ble MR. CUMMING moved for leave to introduce a Bill to amend the Bengal Public Demands Recovery Act, 1913.

He said :—

"My Lord, I rise to move for leave to introduce a Bill to amend the Bengal Public Demands Recovery Act, 1913.

The Bill is very short and very simple. Its object is to effect the realization of dues payable to a co-operative society which has gone into liquidation, such dues to be realized through the agency of the certificate procedure under the Public Demands Recovery Act. The Bill is in accordance with the recommendations of the last Bengal Provincial Co-operative Conference held in February last; in the second place, the Committee on Co-operation in India recommended in 1915 that, when the Co-operative Societies Act be revised, provision should be made for summary recovery of assets in liquidation; and, fianally, a similar provision is already law in the Public Demands Recovery Act of the Province of Bihar and Orissa.

One objection, which might be made to the acceptance of the proposition that the dues of the co-operative society should be realized by coercive measures through the agency of the State, is that such a proposition is a denial of co-operative principles. This, I venture to suggest, is a superficial criticism, as the fact that a co-operative society has gone into liquidation means that co-operative principles have ceased to exist in the area in question. If so, it is in the interests of the co-operative movement that any black mark against this movement should be wiped out as soon as possible, and that co-operative societies which are no longer co-operative should be closed down and liquidated as soon as possible.

I trust that the proposal will meet with the acceptance of this Council, and I beg now to move formally that leave be given to introduce a Bill to amend the Public Demands Recovery Act of 1913."

The Hon'ble Mr. Cumming also moved that the Bill be referred to a Select Committee, consisting of the Hon'ble Mr. Stevenson-Moore, the Hon'ble Mr. Kerr, the Hon'ble Mr. Panton, the Hon'ble Mr. Mackenzie, the Hon'ble Dr. Abdulla-al-Mamun Suhrawardy, the Hon'ble Maulvi A. K. Fazl-ul-Haq, the Hon'ble Babu Akhil Chandra Datta, the Hon'ble Babu Kishori Mohan Chaudhuri and the mover, with instructions to submit their report in time for its consideration at the meeting to be held in December next.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"My Lord, the principle of the Bill, as suggested, I suppose, cannot meet with any opposition. The Public Demands Recovery Act may be amended as suggested in the Bill. Clause 3 of the Bill is no doubt a very useful addition. There is one matter which I may be permitted to suggest to the Council. The certificate procedure is a speedy one for the recovery of the sums embodied in sub-section (2) of section 42, clauses (*b*) and (*d*) of the Co-operative Societies Act of 1912. I respectfully invite the attention of the Hon'ble Member in charge whether it will not be possible to modify clause (5) of section 42, wherein it is laid down that orders made under this section *shall* on application be enforced by the Civil Court. The word 'shall' is imperative; the words 'on application' may be viewed as conferring jurisdiction on the Civil Court for the enforcement of the order of liquidation. Still, it may be argued that the clause empowers jurisdiction only upon Civil

Courts. Sub-section (5) (*a*) of section 42 of that Act also demands the consideration of the Council which, as far as I can gather, remains untouched by the Bill. This is a suggestion which I submit for the consideration of the Council."

The Hon'ble BABU MAHENDRA NATH RAY said:—

"Your Excellency, I hope the policy of this Bill will meet with general approval, and I desire to speak very shortly because it occurred to me that I should say something on a particular point. I was not present when my learned friend the last speaker said what he had to say, and I do not know whether he referred to the very same point. I trust Government are satisfied that the local Legislative Council has the power of passing the proposed provision into law in view of section 42, clause (5) of the Co-operative Societies Act (II of 1912) of the Indian legislature. Apparently the provisions of that clause make it mandatory that in regard to the order made by a liquidator determining the contributions to be made by members to the assets of the Society, as well as in regard to the order made by a liquidator determining by whom and in what proportion the costs of the liquidation should be borne, the procedure prescribed in that sub-section is that such order shall be enforced by a Civil Court having local jurisdiction in the same manner as a decree of such Court. That is a provision in a statute passed by the Indian legislature. The procedure proposed in the Bill has the effect of introducing an alternative procedure which is welcomed and which on merits deserves our support. I had only some doubts as a lawyer whether we have the power, when the Indian legislature prescribes an exclusive remedy, to provide an alternative one; but this is a matter which I have no doubt has received the consideration of the law officers of Government, and I have also no doubt that Government are satisfied that the local legislature has that power."

The motion was put and agreed to.

LIST OF BUSINESS—ITEMS Nos. 7 AND 8.

THE BENGAL JUVENILE SMOKING BILL, 1917.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY moved for leave to introduce a Bill for the Prevention of Smoking by Juveniles.

He said:—

"My Lord, my justification for bringing forward this Bill is the rapidity with which the habit of cigarette-smoking is growing amongst juveniles.

The importation of cheap American tobacco and the rapid growth of tobacconists' shops in big towns are mainly responsible for the spread of this evil. This vice is not confined to youths still in their teens. It is fast growing amongst little children. Children, five or six years old, loitering about in the streets or in the vicinity of schools, puffing away at cigarettes, is a common and provoking sight.

The evil effects of smoking on the health of the young is well-known. According to expert opinion it 'arrests the normal developments of the body and the mind and gives rise to the distressing symptoms of dizziness, stupor, trembling of the limbs, palpitation on slight effort, feeble pulse, irregular circulation and nervous prostration.' According to Dr. Winslow Forbes, the brain specialist, cigarette-smoking is a very potent factor in the making of a maniac. Dr. C. H. Clinton of the San Francisco Board of Education is of opinion 'that cigarette-smoking is as bad a habit as opium-smoking. It blunts

the whole moral nature and has an appalling effect upon the system and stupefies the nerves.' For these reasons, my Lord, even tobacco-growing countries have passed laws for stamping out the evil of cigarette-smoking. Acts against juvenile-smoking were passed in many American States and British Colonies so far back as 1900. Legislation was undertaken in the United Kingdom in 1908 (8 Edw. 7, c. 67, s. 43, etc.). An Ordinance (No. 21 of 1909) for the Prevention of Smoking by Juveniles was enacted by the Governor of Ceylon in 1909. The State of Bhavnagar published a notification (No. 109 of 1917, dated 1st March 1917) forbidding the smoking of tobacco by children in the city of Bhavnagar. A Bill to prevent juveniles from smoking tobacco in any form is before the Punjab Legislative Council.

I have drafted the Bill on the lines of legislation in force in the countries and States mentioned above. The object of the Bill, as indicated in the Statement of Objects and Reasons, is to discourage cigarette-smoking amongst juveniles. The operation of the Bill is in the first instance limited to Calcutta, as the evil of cigarette-smoking is very pronounced here and also because it is desirable that legislation of this nature should begin in a place like Calcutta where public opinion is strong and there is little likelihood of harassment or abuse of power by the police. It may be noticed that (as many children of the working classes make a living out of cigarette and *biri* making) the provisions of the Bill do not apply to persons employed by a manufacturer of or dealer in tobacco for the purposes of his business. There may be some difference of opinion as to details, but I believe there will be none as to the principle of the Bill. I trust, my Lord, that I have only to ask leave to introduce the Bill, which I now formally do, to receive the full support of public opinion and of my colleagues in the Council. I move for leave to introduce this Bill."

The motion was put and agreed to.

The Hon'ble Dr. Abdulla-al-Mamun Suhrawardy also moved that the Bill be circulated for the purpose of eliciting opinion thereon.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said:—

"My Lord, I will say only a few words in support of the Bill. I am not a medical man and cannot speak of the evil effects of cigarette-smoking among children or persons of immature age, but my experience is that it is not for the good of such people. I am myself a non-smoker and my Hon'ble friend Dr. Sarbadhikari is not only a non-smoker, but a militant anti-smoker; he has been instrumental in forming a society amongst students for the prevention of the smoking habit and that society is doing some good. I think if the legislature were to pass an Act of the kind suggested, it would do a great deal of social good."

The Hon'ble BABU MAHENDRA NATH RAY said:—

"I am also in support of the principles of this Bill. I wish, however, that in one respect it had been less comprehensive and in other respects more comprehensive, but these are matters of detail. There has been no distinction made in the Bill between boys and girls. I believe in the English Act of 1908 a distinction is made, and later on we will have to see in what respect a similar distinction may have to be made here. At any rate, in regard to the provision for seizure which involves a provision for the search of persons seized under the English statute, a distinction is very properly made between boys and girls. Then it might have been more comprehensive because I have looked into the provisions of the Bill and think that the law should also cover cases of smoking mixtures and papers which are very largely used in this

country, and the provision in the Bill regarding pipes would not be enough to cover mixtures as well. However, these are matters of detail which will be considered later on. I have much pleasure in supporting the Bill."

The Hon'ble BABU AMBICA CHARAN MAZUMDAR said :—

"My Lord, it is with sincere satisfaction that I welcome the introduction of this Bill. It is a summary measure no doubt, but I am sure it will have far-reaching consequences for the good of our youngmen. It is not so long ago that Hindus and Muhammadans alike considered it an act of gross impertinence for young men to smoke before their elders, but nowadays it is a common sight to see beardless boys with cigarettes or cigars as constant fixtures in their mouths in the public streets, playgrounds and other public places, and it is of the utmost importance that steps should be taken to check the growth of this vicious habit which is rapidly growing among our young men. While fully approving of the objects of the Bill I feel constrained to differ from its scope. It is said that in the first instance the Act shall apply to Calcutta. I ask, why? Is it on the principle of carrying coals to Newcastle? In Calcutta the Bill in all probability is likely to become a dead letter; besides the evil has its origin in the mufassal and not in Calcutta. In the mufassal if you allow young men of the student community to contract the habit, I do not think you can very easily control that habit when they come up to Calcutta for the purposes of higher education. I think we ought to begin where the root lies, and I earnestly ask the Hon'ble Mover of this Bill whether its application should not at once be extended not only to Calcutta, but also to all district towns and the head-quarters of subdivisions in every district. I would have gone a step further and asked him to extend it to all places where there exists a school, but there are certain objections and obvious difficulties in carrying it so far, but there can be no difficulty at all in extending it at once to the chief towns of every district and to the headquarters station of every subdivision. There are certain provisions on which we might make certain observations, but as my Hon'ble friend to the right has told us that there will be further opportunities for discussing them, I need not go into them at the present stage, although I may say that both the definition of teachers and the exemptions granted to certain classes of people will have to be widened a good deal. At any rate, we will have to exempt mill boys and boys working in manufactories. And I think also the limit of age will probably have to be reduced from 21 to something like 18, for there are lots of boys of this age working in mills, fields and factories and other places who do not read in schools, but begin their career in life as labourers either in one place or another. In regard to these people, we will have to extend the exemption which has been granted by the last clause. However, we shall have ample opportunity of discussing these provisions of the Bill which has been introduced, and at the same time I would again ask the Hon'ble Member in charge that he should consider whether it should not be at once extended not only to Calcutta but also to the chief towns of every district and the subdivisional headquarters of every subdivision. With these words, I cordially support the Bill which has been placed before the Council."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"My Lord, I also support the Bill, but I am afraid the object of the Bill will be defeated. If you study the clauses themselves carefully you will find that a lot of persons will escape, for instance, the seller of cigarettes, because it is said that 'if he sells them to young people *apparently* under 21 years....' The word 'apparently' is a very unhappy expression. In this way who is to decide the age of the person who is to purchase the article? Is the seller to

it in judgment upon it? Then again if the young man under 21 wishes to purchase the cigars or cigarettes, can he not manage it through other agency, that is, can he not send his adult servant to purchase them for him? The whole object of the Bill will be defeated if proper attention be not given to clause 3 and especially to clause 4. My Lord, I also think that this Bill as it stands will be an engine of oppression by the police. Care should be taken on this point, and clause 4 of the Bill demands a good deal of modification. We find also that as the seller is to be punished, the purchase of the article is not made an offence at all. Why not? That point should also be considered by the Select Committee. The state of things in England or in America is not the same here. However much we may approve the object of the Bill, we will have to consider also that the domain of positive law is not the domain of moral law. The two domains must be kept separate. Hitherto that was the view taken, and hitherto school discipline was considered to be the best remedy for the growing evil. When we find school discipline is not sufficient for the purpose, I have no objection to the Bill if these principles be embodied in the law, and I need not discuss further on the subject, but I will leave it to the consideration of the Hon'ble Member in charge of the Bill."

The Hon'ble DR. DEBA PRASAD SARBADHIKARI said :—

"My Lord, it is bad form to be guilty of anything like militancy, and when one is unfortunately so guilty one tries to keep his militancy in the background. I have done so with regard to the smoking question so far, and was content to bide my time and let public opinion be better prepared through the instrumentality of our public bodies, educational institutions and the Press. I feel almost ashamed that my Hon'ble friend Dr. Suhrawardy should have had to be left to bring forward that which I should have done many years ago. I congratulate him on his courage and I hope the Bill will not share the same fate as the Punjab Bill has done. There are difficulties in the way which have been foreshadowed already and which will be very carefully considered in Select Committee. Therefore, into these matters, which are essentially of detail, I shall not go to-day. I quite agree with the Hon'ble Rai Mahendra Chandra Mitra Bahadur that if we are to have anything effective the seller and the buyer have alike to be provided for in the penal clauses. This has already been done, though not under the British Act. I find in some of the laws of the Native States of India, such as Hyderabad, Cooch Behar and Bundelkhand, where the evil was very rampant and very real, they have to a certain extent combatted the evil, and if we are to do anything in that way, the penal clauses will have to be extended to the seller also. As regards young sinners trying to circumvent the law and getting adult abettors to pander to their vices, no law will ever be able to prevent such catastrophies. That would be however no reason against having the law at all. A young man's father who would not let him have anything like spirits found that his worthy son's perfumery bill went up every month, and a formidable collection of Eau-de-Cologne bottles was found under his bed, when liver abcess followed and the young man died. There is no reason why we should be discouraged in our efforts to meet the general evil as far as we can because of abnormal monstrosities like this. That the evil is very real in Calcutta and the mufassal, I have not the least doubt. I welcome the principles of the measure, and I hope it will be threshed out in the Select Committee, and all the objectionable features about which much public criticism has already been roused will be eliminated. The age question is a very real one; the British Act makes it 16, the Punjab Bill wanted to make it 18, which is the age of majority in this country. Then as regards the preventing agency; whether the Society for the Prevention of Cruelty to Animals or whether the

preventive officers of the Police or Customs would be quite suitable, would be matters that will have to be considered, but I can assure the Council that the educational authorities and the authorities of the society to which the Hon'ble Rai Debender Chander Ghose Bahadur has referred, will be glad to co-operate in the matter and try to furnish agencies which, to begin with, ought to prove satisfactory. There need not be any misgiving so far; we cannot hope to carry out the provisions of a perfect measure in a perfect way; a beginning has to be made, and as the evil is real I hope a beginning will be made in Bengal, and that this Bill will not share the fate of the Punjab Bill. If it does it will go forth to the world that Government have legalised juvenile smoking. It was said, when some of our sanguine friends unsuccessfully approached Your Excellency with a view to keep down the prices of piece-goods, that the Government had sanctioned this increase. I hope that will not be the fate of this Bill."

The Hon'ble SIR S. P. SINHA said:—

"My Lord, I cannot claim the same want of partiality for tobacco as some of the previous speakers; perhaps that is all the greater reason why I should say that I sympathise entirely with the object which my friend the Hon'ble Dr. Suhrawardy has in initiating this legislation. Inasmuch as the Bill has to be circulated for the purpose of eliciting public opinion thereon, I do not think that I need say anything more than direct attention to a few points upon which public opinion should declare itself before this legislation is further proceeded with. In the first place—and I hope in saying this I will not be considered unsympathetic towards the Bill, by reason of my confessed partiality for the weed—I think the public ought to consider whether the need for this legislation has been made out, *i.e.*, whether there is such a great evil by reason of the cigarette-smoking habit among our young men that we need add yet another offence to the statute-book. One of my friends who spoke before me has already indicated the line of thought which is necessary to follow in matters of this kind, viz., that the remedy might, in many cases of admitted evils, be left to domestic or school discipline. However, this is only a matter to which I direct public attention. The next point which, I think, requires consideration, and which has also been mentioned by previous speakers, is as to the age-limit with regard to persons to whom tobacco of any particular kind is to be prohibited from being sold. The limit of age fixed in the Bill is 18, and as Dr. Sarbadhikari pointed out, in England it is 16 and not 18, and in the Punjab Bill it is not 18 but 16 also—I have got it before me—and there is the Ceylon Ordinance, which I think is referred to by Dr. Suhrawardy; I believe there also it is 16. Twenty-one does seem to me unnecessarily high. Further it will have to be considered as to how far we can have exemptions, because it might be considered a great hardship on many classes to whom a bit of tobacco is always a great solace, specially when they do not get sufficient food. It ought also to be considered very carefully as to whether the agency to whom the power to seize tobacco is to be entrusted, is the right kind of agency. To me it seems that officers of the preventive service, by which I presume that my friend means the Customs service, seem to be hardly proper agents for seizing cigarettes in the pockets or hands of young people loitering about in the streets. It may be possible for school-teachers to do this in regard to boys of their own schools, but whether it would be possible or desirable for them to deal in the same way with boys of *other* schools, is certainly a matter which requires careful consideration; and officers of the Society for the Prevention of Cruelty to Animals may seem out of place in dealing with boys of *bhadralok* families; but all these I mention as matters which should be carefully considered by individuals and associations when they consider this Bill.

Babu Surendra Nath Ray.

One other point I must mention. The Bill makes no provision as to who is to initiate prosecutions. Supposing there is a prosecution; who is to initiate it? Is it to be the police, or is it to be anybody else? That is a point also which I commend to public attention. Further, is it only cigarettes or tobacco in the forms mentioned that is to be prohibited, or is *hookka* smoking also to be included? Perhaps it may not be as injurious to the young as cigarette-smoking, but if we are dealing with the prevention of smoking, it will be just as well to consider that also. But the principal thing that strikes me is the consideration as to whether legislation is desirable or necessary with regard to a matter of this kind. I have before me a note recorded by an officer high in His Excellency's Council, pointing out the probable result of the law being a dead letter. This is what he says :—'I never smoked until I was 21, not even a single cigarette, and I have probably been the better for my youthful abstinence, but if the police or college authorities had been enjoined by law to prevent me from smoking, I should certainly have begun to smoke long before I did: in fact cigarettes and politics are much on the same footing'—it may be desirable but not always feasible to prohibit either."

RESOLUTIONS.

(*Under the Rules for the discussion of matters of general public interest.*)

LIST OF BUSINESS—ITEM NO. 9.

The Hon'ble BABU SURENDRA NATH RAY moved the following resolution :—

This Council recommends to the Governor in Council that shorthand-writers be appointed, as early as practicable, in all Sessions Courts, to take down the charge as delivered by the Sessions Judge to the Jury.

He said :—

"My Lord, in December 1913 I asked the following question in this House :—

'In view of the advance in education during the last 20 years, have the Government of Bengal considered the desirability of introducing the trial by jury in non-jury districts?'

The answer was :—Within the last 20 years the Government of Bengal have considered the desirability of introducing trial by jury in non-jury districts. In 1897 the system of trial by jury was extended to the districts of Chittagong, Mymensingh, Rajshahi and Jessore, and in 1905 to the district of Khulna.

The real reason why I did not follow up the question by a Resolution for the extension of trial by jury was that proper men were not selected as jurors in those districts where trial by jury is in force, and that the verdict in many cases in those districts was not what it should have been; and, secondly, because the Judge's charge to the jury as delivered in Court at the trial is not sometimes the same as that signed by the Judge and placed in the record of the trial. Now that the Resolution to extend the jury trial to non-jury districts has met with success, I think it would be useless simply to have the right extended if we do not get proper men in the jury list, and if the charge of the trying judge to the jury is not properly recorded. As regards the selection of proper men as jurors, I think it is the High Court which has the power to do so, and it will be necessary to move that authority for the purpose. I shall now deal with my resolution, viz., the appointment of

shorthand-writers for taking down the charge to the jury by Sessions Judges. The general practice is for the Sessions Judge to deliver his charge to the jury and then to write out the same, sometimes some days after the verdict has been pronounced. In some cases, no doubt, the charge is written out beforehand by the Sessions Judge and then delivered to the jury. But the former method is the general practice. So far as I am aware, there is no shorthand-writer attached to any of the Sessions Courts in the jury districts of Bengal, except in the district of the 24-Parganas. It is not seldom that in appeals from Sessions cases to the High Court the appellant impugns the charge to the jury as in the record as not being the same as actually delivered by the Judge. One can very well understand the result of appeals in such cases. Sir Romesh Chandra Mitter, one of the members of the Jury Commission, thus remarked on this point :—

'It seems to me of the utmost importance that in cases tried by jury, there shall be an accurate record kept of the Judge's charge to the jury. At present, though the law requires that the Sessions Judge should record the heads of charge to the jury, it contains the provision as to when or how such record should be made. As a matter of practice, I am informed, Sessions Judges generally record from memory or their own notes the substance of the charge delivered orally after the verdict has been taken. This course is open to many obvious objections and is likely to lead to unsatisfactory results. When an appeal has to be preferred to the High Court in a jury case, the appellant, in appealing against an alleged misdirection of the Judge, is sometimes forced to complain of the Judge's charge, not as it was probably laid before the jury, but as it has been recorded by the Judge after the verdict has been delivered. I am of opinion that the record should contain a strictly accurate report of the charge as delivered by the Judge to the jury.

'In my opinion there are two courses, the adoption of either of which would secure this end :—

'First, it should be made obligatory upon the Judge to write out his summing up before he proceeds to charge the jury. But this is a course which, I am informed, though occasionally adopted by Judges in the mufassal, is fraught with inconveniences and is likely to delay the trial. I am, therefore, disposed to recommend that a Bench Clerk should be attached to such Sessions Court whose duty it should be to take down in shorthand the Judge's charge as it is delivered, and whose transcript of the charge when signed by the presiding Judge should form part of the record.'

The note of Sir Romesh Chandra Mitter was attached to the report of the Jury Commission on the 24th March 1893. Nearly a quarter of a century has passed since the above suggestion was made. We were in the midst of normal times all those years. Why were no steps taken to give effect to his recommendation? I had a talk only last week with a retired District and Sessions Judge who had acted as such in three of the important jury districts and whose reputation as a Judge stands very high. He told me that the appointment of shorthand-writers in Sessions Courts to take down the charge to the jury was absolutely necessary and in the interest of public justice ought to be done.

The verbatim charge to the jury ought to be exactly reproduced and not substantially a charge with material variations. The jury in this country is entirely guided by the charge as orally delivered and upon which they base their verdict and have nothing to do with a charge subsequently written out by the Judge with certain alterations which he may think he ought to have placed before the jury. A charge subsequently written out and then reproduced in substance cannot in the nature of things represent the charge as delivered. Therefore care should be taken that the charge delivered should be the same as recorded. This is specially necessary when an appeal against a verdict

of jury is only capable of being questioned in appeal by the accused if the charge contains misdirection and is erroneous in law. A charge subsequently substantially reproduced may result in the elimination of the errors contained in the oral delivery at the trial, and in the result there may be serious miscarriage of justice. We find sometimes in the charge as subsequently written out, 'the law on the subject explained.' No one knows how it was explained and what errors, if any, crept in. It is not possible in all cases to challenge the charge from the subsequently written out charge which forms part of the record of the case. I need hardly say that when an appeal comes before the High Court and the objections raised by the appellant concern the charge, that the very words of the charge should be placed before the Judges of the High Court to enable them to decide legally as to the correctness or otherwise of the said charge.

My Lord, I invited the opinion of the Bar Associations of some of the jury districts, and this is what some of them have written to me :

This is from Mymensingh—'In the trial of Sessions cases the charge to the jury is generally written out by the Judges after the delivery, and except in cases where it is written out before delivery, the charge delivered to the jury is not invariably correctly reproduced in the subsequently written out charge.

'We know of a very large number of cases where the charge delivered to the jury has not been correctly reproduced in the subsequently written out charge, so that the High Court on appeal has not been able to see distinctly or appreciate properly whether the case was fairly and properly placed before the jury. It is not at all necessary to quote chapter and verse, as this is a matter of almost everyday experience in the Sessions Courts. In our opinion the employment of shorthand-writers in Sessions Courts to take down the charge to the jury would be a very welcome innovation and a salutary check on the existing evil.'

This is from Berhampore—'They do not think that in the trial of Sessions cases, the charge to the jury at the trial is invariably correctly reproduced in the subsequently written out charge by him.

'In their opinion shorthand-typewriters should be employed in the Sessions Court to take down the charge to the jury.'

This is from Rajshahi—'We quite agree with you in the matter of employment of shorthand-writers as it is expected to be of much help.'

My Lord, is this a state of things which ought to be allowed to continue? My information is that we have now shorthand-writers whose services can be secured for Rs. 60 a month. I enquired and was informed that the shorthand-writers attached to the Court of the District and Sessions Judge of the 24-Parganas get that pay. There are at present 12 jury districts. The monthly expenditure would be Rs. 720 per month if whole-time shorthand-writers be appointed. But this expenditure would not be necessary and could be considerably curtailed. I think it should be about Rs. 240 per month if the services of the present Peshkars or Bench Clerks attached to each Sessions Court be utilised and an increment of Rs. 15 or Rs. 20 a month be given on condition of their learning shorthand-writing.

When stenographers are appointed every year in the Police Department under the Criminal Investigation Department, when want of funds has not been put forward for these appointments, one really wonders why Government has not made these appointments in Sessions Courts all these years, specially when these appointments would have helped in the administration of justice and the expenditure is moderate.

If it is the duty of Government to employ shorthand-writers to take note of seditious language used by speakers so that there may be an exact representation of the words used by the speakers for the sake of justice, I fail to see why the Government should not appoint shorthand-writers to take down charges of the Judge as they were really delivered. I know that under

Rai Mahendra Chandra Mitra Bahadur.

section 367 of the Code of Criminal Procedure the Court of Sessions shall record the heads of charge to the jury, but is it not fair that the interest of an accused person should be properly safeguarded? The charge to the jury when taken down by a shorthand-writer cannot no doubt be used as evidence in the case, nor can it be placed before the appeal Court, but it is sure to be of great help to the trying Judge in writing out his charge. It is for this reason that I have brought forward this resolution before your Lordship's Council. It is far from my wish to cast any imputation upon any Sessions Judge. But, however good the memory of a Judge may be, he cannot be expected to reproduce the exact words of his charge as orally delivered.

There are shorthand-writers employed in Sessions Courts in the Presidency of Madras, and I think also in the United Provinces of Agra and Oudh. It is only fair that they should be employed in this Presidency as well.

I may inform your Lordship that I had a talk only this morning with a very high authority that since the establishment of appeal courts in criminal cases, official shorthand-writers have been appointed in Assizes or Sessions Courts in England to take down charge to the jury."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"My Lord, I beg to support the resolution moved by the Hon'ble Babu Surendra Nath Ray. Having been long attached to the Sessions Court, I cannot but say that the services of the shorthand-writers will be useful to the Judges. I am aware of a Judge writing his charge to the jury after 21 days since passing sentence on the accused. That matter was put before the Hon'ble Judges of the High Court, and they pronounced that the charge was *no* charge under the law. As a matter of fact, the Judges in the Sessions Courts have many cases and they hardly have time to record charges at the time before they deliver them to the jury, and for this reason we find that charges are recorded after some time. Hence there is absolute necessity for employing the services of shorthand-writers. This is so far as the resolution regarding the employment of shorthand-writers.

There is, however, another cognate matter,—we are not simply to complain of the inaccuracy of the charges—which demands the consideration of the Council, namely, the interpretation of a charge to the jury. The Hon'ble Mover wishes that shorthand-writers be employed in the Sessions Courts. We should also remember that the interpretation of a charge is the chief thing. A European Judge cannot talk the Bengali language very clearly and they have consequently to depend upon the interpretation which is done by their bench clerks. They are to explain the difference between 'murder' and 'culpable homicide not amounting to murder.' They are to explain to the jury the meaning of these highly technical expressions. The jury are, as a rule, men of commonsense; they are not trained lawyers and they may not follow the ideas of European Judges. Therefore, I think that it is necessary that highly competent interpreters should be employed. A European Judge cannot always follow the evidence given in the Bengali language and that language is explained either by the pleaders engaged on both sides. Therefore, as my Hon'ble friend presses upon the attention of the Council that shorthand-writers should be employed in the Sessions Court I suggest that competent interpreters be employed for the purpose. The object of my Hon'ble friend in moving this resolution regarding the employment of shorthand-writers is to see that justice is done, but he would also consider that it is necessary that interpreters should be employed for that very purpose, and he should take notice of this matter. If we are to complain that Government will have to incur heavy expenses on this matter, then I submit that the services of competent interpreters who have a knowledge of shorthand may be secured. It is needless to say anything more. With these few words I beg to support my Hon'ble friend's resolution."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, I have great pleasure in supporting the proposal of the Hon'ble Mover, as I have got some experience of jury trial. The charge is often written afterwards. I may submit that a Judge is apt to be more careful in writing out a thing than he can possibly be in delivering a charge orally. Of course the difficulty in this matter lies in the cost. I think, however, that the *peshkars* may be made to do this work with some additional allowances, and they may be made to learn shorthand also. The suggestion is a very good one. It is very necessary in undefended cases. In defended cases the vakil or pleader appearing for the accused may make any correction in the mistakes made, if any, in interpreting a charge. I think that the work may be done by the peshkars or sherishtadars. But it is absolutely necessary that the charge should not be written afterwards. It ought to be taken down as soon as delivered. With these few words, I beg to support the resolution."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, this resolution, of which notice was given before May last, was admitted before I became a Member of your Excellency's Government, and I confess that I have felt some doubts as to the propriety or expediency of this matter being gone into in this Council, for the simple reason that my Hon'ble friend ought to have approached the High Court for this purpose. It is not an amendment of the law which is asked for. If it was so, it would not be for this Council to do it, but it is not. My friend is asking that we should take administrative action by providing shorthand-writers for every Sessions Court. Section 367 of the Criminal Procedure Code provides that in trials by jury the Court need not write any judgment but should record the heads of the charge to the jury. This means, as the Judges have interpreted it, that he may do it when he delivers the charge or almost immediately or so soon after the charge is delivered, that he has got the facts fresh in his mind, and it is for this purpose that the record is submitted to the High Court to enable the Judges to consider whether the case both as to the law and as to the facts has been properly laid before the jury, whose verdict ordinarily would be final. It would not be of much use to provide a shorthand-writer for every Sessions Court if the High Court did not consider it necessary or desirable to look at the transcript of the shorthand-writer's notes. Therefore, as I say, my Hon'ble friend ought to have approached the High Court, and they know more about it than we do here as to whether the charge as delivered was frequently deficient in these respects. What we considered proper therefore was to communicate with the High Court and ask them whether they thought it necessary or desirable that there should be a shorthand-writer in each Sessions Court in jury trials, and we received their reply late in August or September. The reply is that so far as the experience of the Hon'ble Chief Justice and Judges goes, the step recommended by the Hon'ble Member is neither necessary nor desirable, but their lordships are not aware of the reasons which have led to the proposal, and if they are furnished with further information as to the grounds upon which the innovation is suggested they would be pleased to give the matter further consideration. That convinces me more than ever that in this matter my hon'ble friend ought to have approached the Chief Justice and Judges and placed his reasons before them. However, what I propose to do is to send to the Hon'ble the Chief Justice and Judges reports of the speeches delivered in Council to-day for the further consideration which they promised in their letter. In the meantime may I inform the Hon'ble Members—inasmuch as Sir Romesh Chunder Mitter's opinion (when he was a member of the Jury Commission) has

been quoted—as to what happened in connection with that recommendation. My Hon'ble friend seems to think that that recommendation was not considered, and that no effect was given to it either deliberately or otherwise. The facts are these: The majority of the Jury Commission were of opinion that the verbatim records of the Sessions Judge's charge to the jury were impracticable. The point was, however, urged by two eminent Indian members of the Commission, namely, the late Sir Romesh Chunder Mitter (whose experience in these cases no one would impugn) as also the late Maharaja Sir Jatindra Mohan Tagore. Neither of them thought it practicable to require the Judge himself to write out the charge, and although Sir Romesh Chunder Mitter advocated the expediency of attaching a shorthand-writer to the Sessions Court, the majority of the Commission considered that it was not practicable. The Government of India considered it carefully and were not prepared under these circumstances to press on Local Governments the suggestion about shorthand-writers. They said also that there was no evidence before them that the recorded heads differed from the charges delivered and that no general need was felt for a change in the existing law. They, therefore, recommended that the subject should be left untouched, and by a despatch dated the 21st August 1894, the Secretary of State agreed in the conclusions arrived at by the Government of India. So it is not correct that Sir Romesh Chunder Mitter's recommendation was not considered or that it was not given effect to without due consideration. May I also point out to my Hon'ble friends that there may be serious practical difficulties in the way of adopting the Hon'ble Member's suggestion? Out of the 34 Sessions Judges, 11 are Bengalis who deliver their charge not in English but in Bengali. How would you have it recorded in shorthand? Or is it to be confined to the case of Judges other than Bengalis, which would be making an invidious distinction and also to my mind impracticable.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur admitted that even English Judges have got a knowledge in Bengali, and having regard to the composition of juries in this country they have got to do the best they can for the purpose of delivering the charge in Bengali, and when they cannot do it themselves they get it interpreted. How it is then to be taken down in shorthand, as there is no such thing as Bengali shorthand, at least it is not generally known? Besides, attempts have been made amongst others in the very Court, of which mention has been made by my friend, the Hon'ble Babu Surendra Nath Ray, by two experienced District Judges to get the charge taken down in shorthand, and both of them found it to be a grievous failure, because the clerks whom they could get in the Sessions Courts could only take down slowly dictated judgments and were absolutely unable to take down rapidly delivered charges, and they made such a mess it—if I may use that vulgar expression—that it was more trouble for the Judge to correct it than if he had to write it out himself. However, these are practical considerations which will be no doubt considered by those with whom the decision must rest, and all I can promise to my learned friend is that we shall send a copy of all the speeches, which give the reasons for the change advocated, to the High Court and ask them for the further consideration which they have promised in their letter."

The Hon'ble BABU SURENDRA NATH RAY said :—

"My Lord, I am thankful to the Hon'ble Member for the assurance he has given that he is going to send the discussion on this resolution to the Hon'ble Judges of the High Court for their reconsideration, and I beg to withdraw this resolution."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEMS Nos. 10 AND 11.

The Hon'ble BABU AKHIL CHANDRA DATTA was to have moved the following resolution :—

This Council recommends to the Governor in Council that all political prisoners and all persons interned in Bengal under the Defence of India Act be released at once.

If the above resolution was not carried, the Hon'ble Babu Akhil Chandra Datta intended to move that this Council recommends to the Governor in Council that if there is any evidence that any of the persons interned in Bengal under the Defence of India Act are implicated in any conspiracy or crime, they be put on trial at once in Law Courts and that the rest of the *détenus* be forthwith released.

He said :—

"My Lord, I have listened with all attention and respect to the very interesting speech which Your Excellency has delivered this morning about the operation of the Defence of India Act. We all appreciate Your Excellency's solicitude in explaining the Government point of view to the public, but with Your Excellency's permission I shall make a submission that the speech has made my position very difficult and if I may add very delicate. I mean my position with respect to the resolutions on the subject of internments which stand in my name, and I really do not know what is my duty in the new circumstances for which I was not prepared. My difficulty has, however, been solved, for I have been advised by those for whom I have the greatest respect not to press for these resolutions—Nos. 10 and 11. I am in perfect agreement with that view, for apart from other considerations, supposing I move the resolutions and they are carried by this Council, they will even then have the force of merely being a recommendation to Your Excellency. I should therefore not feel justified in taking up Your Excellency's time in making out a case upon which Your Excellency has already expressed your verdict. I crave Your Excellency's permission to withdraw these two resolutions."

The resolutions were then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 12.

If neither resolution No. 10 nor resolution No. 11 were carried, the Hon'ble Babu Akhil Chandra Datta was to have moved that this Council recommends to the Governor in Council that a mixed committee of non-officials and officials, other than Police officers, with a non-official majority, be formed to examine the evidence upon which all orders of internment have been passed in Bengal under the Defence of India Act and to make such recommendations to the Government about each individual case as may be warranted by such examination.

He said :—

"My Lord, the position is somewhat different in this case. Your Excellency has given us an assurance this morning that a committee would be formed, but what the composition of that committee will be we have not been able quite accurately to follow. Before going into that and examining the scheme that has been suggested, I think if Your Excellency will allow us an adjournment we may watch and see what the composition of that committee is, because after all the committee that has been suggested may, after examination, prove to be quite satisfactory to us. In view of this

fact I pray that the resolution may be postponed for the next meeting of Council, so that in the meantime we may be in a position to decide whether it will be worth our while to trouble Your Excellency any more over this matter."

The President :—

"I take it that the Hon'ble Member asks for a postponement to a future meeting of this Council."

The Hon'ble Babu Akhil Chandra Datta said :—

"Yes my Lord."

The resolution was then, by leave of the President, postponed to a future meeting of the Council.

LIST OF BUSINESS—ITEM No. 13.

The Hon'ble Rai Radha Charan Pal Bahadur was to have moved the following resolution :—

This Council recommends to the Governor in Council that an advisory committee of officials and non-officials consisting, among others, of an Indian Judge of the High Court and a practising member of the Calcutta Bar, be appointed to investigate into and report upon all internment cases that have already taken place and that may take place in future and to recommend in each case—

(*a*) the place of detention ;

(*b*) the allowance to be granted to the *détenu* and to the members of the family as may be deemed necessary ;

(*c*) the educational facilities which may be required in particular cases ;

and that the said advisory committee be empowered to co-opt any resident in the district wherein the persons affected live and who, in their opinion, is likely to be of assistance in the investigation and examination of the case.

He said :—

"My Lord, I have listened with great attention and respect to Your Excellency's speech this morning. We should like, however, to read that speech carefully and to examine its contents. Perhaps, we shall be decided at the next meeting. I crave Your Excellency's permission to postpone this resolution to a future meeting of this Council."

The resolution was then, by leave of the President, postponed to a future meeting of the Council.

LIST OF BUSINESS—ITEM NO. 14.

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that a Board of Visitors be appointed in each district to visit the *détenus* every month, or as often as may be required, to ascertain and report as to their health and

Sir Henry Wheeler.

other conditions and on any complaint that may be made by them regarding their wants and necessaries.

He said :—

"My Lord, it is not connected with the question of internment, and if I am permitted, I would move it. The question of internment has been so fully explained by Your Excellency that I need not take up the time of this Council in dwelling on it, in introducing this motion. From time to time more oftener than usual complaints are made that the persons interned under the Defence of India Act are not well looked after, that they are subjected to great privations and inconveniences, and that they suffer in health. It is also stated that there have been cases of lunacy as the result of privations and solitary confinement and even suicide owing to unendurable circumstances in which the person was placed. Personally, I do not know anything about the truth or otherwise of these complaints, but they are very widespread and create a very unfavourable impression in the public mind. Occasionally the Government issue Press Communiqués. The public mind would be greatly relieved if Government would see their way to appoint visitors as is done in the case of ordinary criminals confined in jails. When Government out of humanity and solicitude for the health of the convicted criminals of the country have appointed non-official visitors to visit the jails and to note in the Visitors' Book any grievances any criminal may communicate to the visitors for investigation by the authorities, I do not see any reason why the same procedure should not be followed in the case of persons interned under the Defence of India Act. There is a great difference between the interned persons and the convicted criminals. Sir Reginald Craddock said in the Imperial Council that the wording of the Act itself indicates that a man to be interned is not necessarily a criminal nor is taken to have committed criminal offences. It will be seen therefore that the interned persons are not considered as criminals. If criminals in jails according to the humane policy of the Government require so much looking after by a Board of Visitors, the interned persons deserve no less. In this way all complaints will, if not promptly communicated by the local Police, at once come to the notice of Government and every legitimate grievance will be removed. The Government will also be in a better position to correct abuses if any be found to exist and thereby earn the gratitude not only of the *détenu* and his disconsolate family, but also of the community.

"My Lord, I do not want to dilate more on this matter. I hope that this simple resolution will be accepted as it does not interfere in any way with the administration of the Defence of India Act."

The Hon'ble Sir HENRY WHEELER said :—

"Sir, the Hon'ble Rai Radha Charan Pal Bahadur has moved his resolution with brevity and moderation and I will imitate him in pointing out certain objections to its acceptance. These are briefly two. In my opinion the necessity for the committees which the Hon'ble Member would favour is not made out, and their practical working would be a matter of difficulty almost amounting to impossibility. These unfortunate youths are distributed over a far larger number of villages than the Hon'ble Member appears to appreciate. The latest figures I have been able to obtain show that the number of these villages is 529, scattered over most of the districts in the province.

As regards the necessity for supervision by a committee, the Hon'ble Member bases his argument on the analogy of jails. I think in this he has

been led astray. The reasons for jail committees are in a large measure historical. In the development of jail administration, the earlier days were sometimes characterised by scandals and instances of acts of jail officials—I am not speaking of India, but as a general statement in prison history—which considerably shook public confidence, and I take it that the idea of appointing outside committee of official and non-official visitors, with the right to go within the enclosure of the four walls of the jail, was to assure the public mind that things were not going on inside those walls which it would shock them greatly to know. But the case of these men dealt with under the Defence of India Act is quite different. They are not in jail; they are in open villages where their own people are around them; where they have opportunities for representing to the authorities any matter of which they have to make complaints. That these opportunities are availed of quite freely is well known. Petitions come in to the local officers, the District Magistrate, the Superintendent of Police and to the Government; they are inquired into and I maintain, with reference to the rumours to which the Hon'ble Member has alluded, and which, he was fair enough to say he did not endorse, that to the best of our knowledge from the inquiries we have been able to make, these men are treated with justice and humanity and have no reasonable ground of complaint. Many questions have been asked in the Council both to-day and on former occasions about the treatment of these youths; we have made inquiries, we have given answers, and I maintain that the answers that we have given should have dispelled any uneasiness which might be created by the questions themselves. The analogy on which the Hon'ble Member relies, namely, that of a jail-visiting committee, therefore breaks down. As regards actual working, I have already mentioned the number of villages which would be involved in the inquiry, and it seems to me to be practically impossible to have non-official committees wandering around over these large areas making reports once a month. In a district the *détenus* are under the immediate supervision of the District Magistrate and the Superintendent of Police, and these officers are in touch with them. The necessity therefore for importing another cumbrous machinery is scarcely made out.

There are other grounds connected with the position of these youths, on which I would rather not dwell, which make it undesirable that the prominence should be given which certain aspects of the resolution would involve, but on the two grounds I have mentioned I cannot recommend that the resolution should be accepted by the Council."

The Hon'ble Mr. Cumming said :—

"My Lord, the subject of the treatment of *détenus* as regards their health and conditions, for which the Hon'ble Member has proposed a special Board of Visitors, is not one which is at present in my department. Perhaps, however, as I have had a certain amount of experience in the matter, I may contribute some remarks on the subject.

The Hon'ble Member appears to consider that improved machinery is wanted in order that reasonable grievances may be redressed. He also seems to contemplate that he can bring conviction to a number of people who at present are unconvinced. Well, as regards the first point, the question of the improvement of the machinery, I would be the last to say that the present arrangements are perfect or that things have not been overlooked, or that delays have not occurred. Human nature is frail and these things do happen; but at the same time I maintain that the department with which I was concerned was continually improving its machinery, and there has been no halt in that progress. During the last hot weather and rains I toured over more than half Bengal and saw the conditions as far as I could and made as

many local inquiries as I could, both in order to see the effect of orders that had been issued from headquarters and also to find out local facts and conditions. Of course this is only a personal opinion, and the Council may take it for what it is worth, but I found that there was singularly little about which the *détenus* could complain. On the contrary, I did find during the last two years in petitions that have been presented to me and in statements that are made in the Press and elsewhere, that there is an extraordinary amount of what I may be pardoned for calling 'hyperbole'; a gross extravagance of statement. It was alleged that a boy is dying; I found that he had got a little fever, and so on. I do not think that Government can be accused that they are not sympathetic toward these young men who have been placed away under these special conditions; but nevertheless one cannot overlook the fact of gross and persistent exaggeration in the petitions that have been submitted to Government. At the same time, in my enquiries, I found that the officers, Indian and European, whose duty it was to look after these young men, showed a very high degree of humanity; and I should like to take this opportunity of bearing public testimony to that fact, because the public can only learn what is stated in the Press and in the questions in Council and in the rumours which are circulated, and they gather that these young lads are being unfairly treated.

May I mention what measures there are at present in order that you can judge whether a Board of Visitors is required? In the first place there is a daily inrush of petitions both from the local officers and from the *détenus* themselves or from their relatives, either through the central police in Calcutta or from the districts; in the second place, the Special Secretary to Government has a daily durbar in which he listens to anything that the friends of these young men have got to say. I may say, for my part, that I have had many pathetic interviews dealing with the cases of erring sons and heart-broken fathers. In the third place, there are very frequent reports from local officers; in the fourth place, ample opportunities are given to the *détenus* at their places of domicile to interview their friends or relatives; and in the fifth place, they cannot complain that no notice is taken of the complaints that are made in the public Press. Anything that appears in the Press is examined; and if it is found that there is any reasonable grievance, action is taken to remedy it. So far, then, as regards the point that there should be any improvement in the machinery.

The second point is that conviction should be brought to those who are at present unconvinced. As regards this my experience has shown, after interviews with several hundreds of persons, that they may roughly be divided into two categories,—the reasonable father and the absolutely unreasonable father. The reasonable father is often sincerely grateful for what has been done for his boy. The unreasonable father is perfectly hopeless; and I doubt whether my hon'ble friend even with his eloquence could satisfy him if he does not want to be convinced.

As regards what is actually done, Sir Henry Wheeler has explained that their interests are consulted. I have transferred boys from Alipore to Cox's Bazar and from Chittagong to Western Bengal, because it was said that their health was failing. I sent a boy to have his eyes tested because he said he was getting headaches from imperfect sight. I sent another to a hospital, and his gratitude was to run away when he got better. I sent a boy to Calcutta because his property was being looted by some other people; I sent a boy from Western Bengal to Eastern Bengal to attend the Civil Court because there was a case against him. I have sent boys to see their sick relative. I sent several boys under very pathetic circumstances to attend the *sradh* of their parents. I do not think that anybody can reasonably say that they are not well treated. Some even go so far as to say that they are Government pensioners and that we are pampering them. There was one case,

a very pathetic case, in which a boy who was interned in a certain district headquarters was doing nothing; but his brother was studying in a local school and his father had to stint himself in order to pay his school fees. The good boy was suffering from want of food, while the bad boy was getting good food at the expense of Government.

As regards allowances, the procedure has been very much improved within the last few months. Undoubtedly there have been complaints of delays in the Press and there have been complaints which appear in the questions which have been asked in Council. I do not deny that there are delays, but I do maintain that there are limitations of time and space which prevent things being done as quickly as might otherwise be possible. I also maintain that Government err neither on the side of meanness nor of extravagance.

As regards the whole proposition, I doubt very much whether, when all these opportunities are open to *détenus* to express their grievances, either real or fanciful, and when there is genuine sympathy towards them on the part of our officers, the machinery suggested by the Hon'ble Member will be of any real benefit."

The Hon'ble BABU BHABENDRA CHANDRA RAY said :—

"My Lord, I have followed with interest what has been said by the Hon'ble Mr. Cumming about the inquiries made as to the treatment of interned persons in Bengal. But as a member of a small committee which has been recently formed by the Indian Association to inquire into the internment cases, it has been my lot to be acquainted with charges often made against the police which I dare not believe, far less express. If I were free to believe all the reports that are conveyed to us, I could unfold here a harrowing tale of misery and suffering.

My Lord, if we are not to have a voice in determining as to how the Defence of India Act is to be administered, let us at least be permitted to see with our own eyes how about a thousand sons of Bengal, who have been deprived of their liberty without trial, are faring in their enforced domicile. Let us have district committees as suggested in this resolution, and let not the *détenus* depend entirely upon the tender mercies of the District Superintendents and Sub-Inspectors of Police as Haridas had to.

My Lord, on the 3rd July last I asked a question in this Council with regard to the arrangements for non-official visitors visiting persons dealt with under the Defence of India Act, while under detention in jails; and in answer I was told that no special arrangements had been made. When I followed it up with a further question, Government stated that they had no information as to whether non-official visitors generally visited *détenus* in jails, but that there was no prohibition against such visits. It was further stated that Government were not considering the desirability of instituting a system of regular inspection of *détenus* by a body of non-official visitors specially nominated for the purpose.

This attitude of the Government is very much to be deplored. Unless Your Lordship takes the non-official Indians into your confidence, how can you expect them to discredit the wild rumours that are afloat in the country, how can you expect them to believe that the *détenus* are well cared for and not subjected to torture, that they do not go mad and meet with early death as a result of the treatment they get from their warders, that they do not commit suicide to escape starvation and unnameable atrocities? My Lord, unless you accede to this humble prayer of the people, how do you expect to prevent them from thinking that all is not above board in the matter of the treatment of *détenus*?"

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, I have listened with very great interest to the speeches of the Hon'ble Sir Henry Wheeler and the Hon'ble Mr. Cumming. I thought that my resolution was such a simple one that it would commend itself for acceptance by Your Excellency's Government. I am rather surprised to find that, when the Governments, both here and at Home, are inclined to largely associate the people of this country in the administration of their own affairs, my resolution would be rejected. I am only craving for permission in this resolution to associate some of my countrymen not in the matter of the administration of the Defence of India Act, but in the matter of the supervision of the *détenus* under that Act. The board, I propose, will have no executive power at all. If they are appointed they will only help the Government by giving their opinion in smaller matters. It is a proposition not intended to wring from the Government any responsible government or what some people would call 'Home Rule.' It is a very simple affair ; we ask that some of our people be associated with Your Excellency's officers in the supervision over these *détenus*. The Hon'ble Sir Henry Wheeler has controverted the analogy of the jail visitors as a historical and perhaps an obsolete institution and has somehow or other to be maintained. I was then a schoolboy and I remember the agitation that was set on foot by Frank O'Donnel in Parliament and as a result of that agitation many of the abuses of the jail administration were exposed, though it was in the hands of high executive officers. Thanks to the humane policy of the British Government, in order to take the people into their confidence they have associated non-officials to visit the jails. I do not, however, mean that the Hon'ble Mr. Cumming or his successor, Mr. Stephenson, whenever they came to know that there was any real grievance or that any officer neglected to look into any complaint, did not remedy them ; but what I mean is that the Additional Secretary sitting here in Writers' Buildings cannot be expected to know anything and everything in connection with the affairs of these *détenus* from one part of the Presidency to another. The Hon'ble Mr. Cumming has himself admitted that petitions come in a dilatory fashion from Sub-Inspectors of Police and thana officers to the Additional Secretary in Writers' Buildings. When they reach the Additional Secretary I have no doubt that he gives every attention to these representations. My Lord, if non-official gentlemen are appointed I think the complaints from any quarter will be immediately communicated to the higher officials and immediate steps will be taken, if any reasonable grounds exist, for the removal of the grievances.

The Hon'ble Sir Henry Wheeler has stated that these young men who are interned are spread over 529 villages. I admit, my Lord, that these young men are scattered over a large part of the Presidency. There are, however, a sufficient number of public-spirited men of our community who are willing to undertake this task. They will report to Government any complaints which they note in their note-books, and these books will be submitted to some responsible officer of Government. I am sure that if visitors are appointed in different districts, there will be found a sufficient number of public-spirited men to take up the task and there will be no difficulty as regards that.

The Hon'ble Sir Henry Wheeler has also stated that these young men are placed among their own people. My Lord, as far as I know, by 'own people,' I understand amongst 'one's relatives'."

The Hon'ble SIR HENRY WHEELER said :—

"My Lord, I referred to 'nationality'."

Rai Radha Charan Pal Bahadur.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR continuing said :—

"My Lord, I do not of course know whether the Hon'ble Sir Henry Wheeler means that when a boy of 17 years of age is transferred from Hughly to Cox's Bazar, because there are 4 or 5 Bengalis there, he is amongst his own people. I do not think that that is even admitted by the Hon'ble Sir Henry Wheeler, having regard to the experience he has had in Bengal—although he was away at Simla for some time.

As regards the visitors of jails I know that the District Magistrate, the Superintendent of Police and also the Civil Surgeon visit the jails. I have seen some remarks of Mr. Goode when he was Collector of the 24-Parganas in the Visitors' Book and he used to take every care to ascertain what were the grievances of the convicts there. But Government had not dispensed with the non-official visitors, and why they should be so chary in the twentieth century to keep out the non-official element from this important business. Would you lose anything, I respectfully submit, would the power of Government be weakened in any way, or would not their position be strengthened thereby? I think Government will be in a better position to show how generously, humanely and considerately they are treating these people. There is no doubt improvement is necessary. I thank the Hon'ble Mr. Cumming for this admission; it shows, my Lord, that things were not so bright as they were declared to be from official quarters. He said things are improving, but it can be fairly inferred therefore that things were not so well managed as he himself could wish. All those things show, my Lord, that there is necessity for the co-operation of Indians in the supervision of the *détenus*, and then it has been said, my Lord, that Government officers are very sympathetic. I do not deny that. I myself have associated over 20 years with Government officials; I know many of them are sympathetic, and although some of them apparently may not be sympathetic, yet they act conscientiously according to their own light, but because there is a very large number of officials who are sympathetic, is that any reason why Indians are to be kept in the background? I ask my friends, Mr. Cumming and Mr Stephenson, why we should be dissociated from our own affairs. I appeal to Your Excellency because Your Excellency comes fresh from England, where your Excellency was largely associated in the affairs of the government of your own country. I do not think that any valid reason has been advanced either by Sir Henry Wheeler or by Mr. Cumming that this resolution should be rejected whether on any political or administrative ground. I yet hope and appeal to my friends here, both official and non-official, I appeal to their instincts of justice and fair-play, to vote for my motion."

A division was taken with the following result :—

Ayes—17.

The Hon'ble Mr. J. Mackenzie.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Mr. Provash Chunder Mitter.
" " The Maharajadhiraja Bahadur of Burdwan.
" " Kumar Shib Shekhareswar Ray.
" " Dr. Deba Prasad Sarbadhikari, C.I.E.
" " Rai Debender Chunder Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur.
" " Maulvi Abul Kasem.
" " Maulvi A. K. Fazl-ul-Haq.
" " Khan Sahib Aman Ali.
" " Babu Bhabendra Chandra Ray.
" " Babu Akhil Chandra Datta.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Mahendra Nath Ray, C.I.E.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Noes—18.

His Excellency the President.
The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Sir Satyendra Prasanna Sinha, Kt.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Mr. C. J. Stevenson-Moore, C.S.I.
" " " J. Donald.
" " " L. S. S. O'Malley.
" " " F. A. A. Cowley.
" " " C. H. Bompas.
" " " W. C. Wordsworth.
" " " E. B. H. Panton.
" " Rai Priya Nath Mukharji Bahadur, C.I.E.
" " Mr. R. Glen.
" " " F. W. Carter, C.I.E.
" " Sir A. Birkmyre, Kt.
" " Mr. E. B. Eden.
" " " E. A. Martin.
" " " H. R. A. Irwin.

The following members were absent :—

The Hon'ble Surgeon-General W. R. Edwards, C.B., C.M.G.
" " Mr. T. C. P. Gibbons, K.C.
" " " J. H. Kerr, C.S.I., C.I.E.
" " " C. F. Payne.
" " The Nawab Bahadur of Murshidabad.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Dr. Nilratan Sarkar.
" " Mr. Aminur Rahman.
" " Raja Hrishikesh Laha, C.I.E.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " " Altaf Ali.
" " Rai Sri Nath Ray Bahadur.
" " Babu Surendra Nath Ray.
" " Mr. K. B Dutt.

The Ayes being 17 and the Noes 18, the motion was lost.

LIST OF BUSINESS—ITEMS Nos. 15 and 16.

Before moving the resolution (No. 15) which stood against his name the Hon'ble BABU AKHIL CHANDRA DATTA said :—

"My Lord, my friend, the Hon'ble Maulvi Fazl-ul-Haq, has given notice of an amendment to resolution No. 15. I had a talk with him and he tells me that it is just possible if we consult together that we may be able to formulate a demand which may be acceptable to all of us without any difference of opinion. I accept his suggestion and I pray that this resolution may be postponed to a future meeting in order to enable us to discuss the matter and come to a decision."

The PRESIDENT said :—

"The Hon'ble Member asks that his resolution may be postponed and has asked me for a ruling on a point of order, so that he and the mover of the amendment may possibly come to some agreement if further time is given. I cannot accept that as a valid reason for a postponement. I must point out to the Hon'ble Member that it was perfectly open to him to discuss the matter before the meeting of Council. That being so, I cannot accept that as a valid excuse for postponing a resolution that has been entered in the agenda paper."

The Hon'ble BABU AKHIL CHANDRA DATTA them moved the following resolution :—

This Council recommends to the Governor in Council that—

(*a*) half the vacancies in the Provincial Civil Services, both Executive and Judicial, be hereafter filled by competition and the other half by selection ; and

(*b*) as regards the latter half, the appointments in the Provincial Judicial Service be hereafter equitably distributed amongst the five Divisions of the Presidency and that the vacancies be filled Division by Division, as in the case of the Provincial Executive Service.

Babu Akhil Chandra Datta.

He said :—

"So far as the Executive Branch of the Service is concerned, I am not asking for any catastrophic changes—I am not pleading for any innovation at all —I am asking merely for the revival of an old system. The competitive system has had a chequered career in this country. We had originally a system of nomination which was replaced by a combined system of competition and nomination introduced by Sir Stuart Bayley; but this was afterwards abolished by Sir Andrew Fraser during the Viceroyalty of Lord Curzon giving place again to a system of nomination pure and simple. So the competitive system has been moving forwards and backwards like a veritable pendulum. The present system of nomination by Collectors and Commissioners is vicious and demoralising—demoralising to the candidates, demoralising to their guardians and friends, demoralising to the officers who have to make the nomination, and above all, demoralising to the Service itself.

A system of nomination encourages a spirit of servility among the applicants, and is at the root of the prevailing hunting for certificates which every self-respecting Indian, anxious for the maintenance and development of a spirit of manly independence in the youths of his country, must deplore. The scramble for letters of introduction and recommendation, the sycophancy required and resorted to in securing the same, the adoption of all manner of tactics—honourable and otherwise, the sins of commission and omission which the candidates and their guardians never feel any compunction in adopting, the conversion of the Collector's bungalow into a holy pilgrimage—all this is anything but wholesome. It is so much demoralising to our young men that they turn their backs upon all public movements, however constitutional and legitimate they may be. They will not cross the threshold of a Congress pandal and fight shy of all meetings of the Moslem League. Not only the applicants themselves, but their parents and guardians, their friends and relations, suddenly turn over a new leaf and bid a good-bye to all public activities. In some cases the metamorphosis is more sudden than the change of colour by a chameleon And the pity is that sometimes the officers are successfully hoodwinked. It has been always a wonder to me that straightforwardness and sincereity should be at such discount and hypocrisy and double-dealing is at such premium. Those young men who walk with their heads erect—whose guardians refuse to sell their birth-right for a mess of pottage and to dance attendance upon the District Officer—have no chance.

I have said the system is demoralising to the officers who make the selection. Even in England the abuses of nomination were so gross and widespread that nomination was often synonymous with nepotism. Official patronage is not free from this sort of reproach in India. Individual officers are swayed by personal prejudices against, or prepossessions for, particular classes of the community or particular portions of the district. It is a matter of every day occurrence that in the matter of nomination the first becomes last and the last first. I have no quarrel with the individual officers—it is the system which is at fault : competition alone provides an effectual safeguard against the danger of partiality in the exercise of State patronage.

The system has a distinctly deteriorating effect, as I have said, on the *morâle* of the Service., The men feel that they have entered by the back-door, they feel that they have come through favour and not by merit. All this is bound to have a baneful effect on the independence and integrity of the Service. Not only is the moral effect disastrous. Less qualified men are appointed when better men are available. The universal verdict is that the Executive Service has appreciably deteriorated ever since the introduction of the pure nomination system.

It is very difficult to get at the principle which governs the recruitment of the Judicial branch of the Service. There are however, two things about

which, it is believed, we can be absolutely certain. The success of a candi date depends, in the first place, upon his connection with a member of th Service. It is said that the very first question which is put to an applican is : 'What is your claim? Are you the son or son-in-law of a Munsiff or Subordinate Judge'? The lucky sons and sons-in-law have a distinc advantage over others. A and B are two applicants. A is exceptionall meritorious, B is a mediocre. But B procures a letter of recommendation an gets in. Twenty years after C, son of A, and D, son of B, are arraye as rival candidates. C, like his father, is a talented youth and I is a worse mediocre than his father. But C is thrown out, and D gets i because D has his father in the Service. Thus the wrong done to A is per petuated from generation to generation. I do not know if Tennyson wa dreaming of such a state of things when, with a truly prophetic vision, h observed. 'There is something in heredity.'

In the second place, the success of a candidate depends upon anothe circumstance, which indicates neither his merits nor demerits, viz., the positio and status of the District Judge who happens to recommend him. If he i a senior officer or if he is otherwise an influential man, his nominee gets a advantage over a decidedly better candidate whose misfortune might hav placed him in a district where the Judge is a junior officer, or for some othe reason, is lacking in influence. Some are thrown out even long after enrol ment as age-barred, others are enrolled and appointed before time. Sometime the candidates are enrolled very liberally; at other times even forms o application for enrolment are not vouchsafed to the applicants. Such thing are inevitable when it all depends upon the pleasure of one individual, how ever exalted his position may be. In the absence of hard-and-fast rules th procedure inevitably changes with the change of authorities.

Speaking for myself I am decidedly of opinion that intellectual fitnes should be the only test and open competition—competition pure and simple—without any adulteration of nomination should be the only method of recruit ment.

I know this is also the decided opinion of the advanced sections of th community. But I am equally conscious that there is a large volume o opinion in the country that pure competition is not suitable to the communitie and localities less advanced in Western education. As a representativ of all classes of people in this Council, I think it is my duty to advocat that system which will reconcile all conflicting interests without, at the sam time, much prejudice to the efficiency of the Service. This explains wh I have not ventured to plead for absolute competition and why I have brough forward what, I myself feel, is a half-hearted and halting resolution, askin for eight annas competition and eight annas nomination. That, however, i precisely the recommendation of Mr. Justice Abdur Rahim, who says that hi proposal was formulated in consultation with Mr. Gokhale whose name is a guarantee for soundness and moderation.

The scheme recommended by my Hon'ble friend, Maulvi Fazl-ul-Haq before the Public Services Commission for the Executive branch appears to m to be quite suitable for both the branches of the Civil Service. All candidate should be required to present themselves for an open competitive examina tion. Half the appointments should be given to the successful candidate in order of merit. The rest of the appointments should be made by selectin representatives of various communities and localities in order to secure a du representation of divergent interests. In making these latter appointments however, the principle of competition should again come in, care being taken t select the best representative of each particular community and locality, a shown by the number of marks obtained at the examination. This wil prevent a double system of favouritism, viz., of communities and of individuals and will to a certain extent minimise the inherent evils of the nominatio system.

Maulvi A. K. Fazl-ul-Haq.

The Selection Committee recommended by the Public Service Commission for recruitment of the Executive branch will be some improvement upon the existing system, but the sting of nomination will still be there, the system will remain in essence: a system of nomination and all the inherent evils of nomination system will continue to operate.

I have discussed only the direct appointments to the Executive branch, inasmuch as this resolution relates only to such appointments.

The second portion of my resolution seeks to recommend the same method of nomination for the Judicial branch as is now in vogue for the Executive. We tolerate the system of nomination only to secure a due representation of all communities and localities in the Service. Commercial representation receives due attention from all quarters and sometimes with vengeance. As regards representation of the different localities, the principle is recognised—though not fully—in the Executive branch when appointments are distributed amongst the Divisions. But it is strange that that principle has been overlooked in the Judicial branch. The result is a very disproportionate and inequitable distribution of appointments among the different Divisions and districts.

Out of a total number of 300 members in the Service one district has contributed 63, another 35, a third 25. Murshidabad, Jalpaiguri and Bogra have each got only one member. There are five districts which have got not a single member in the Service, Rajshahi being one of these districts. We have got only 11 members representing the eight districts of the Rajshahi Division, and 20 members to represent the Chittagong Division. Thus we have 31 members to represent two out of the five Divisions, in less than half enjoyed by a single district as shown above.

The district of Mymensingh with the largest population in the Presidency and which has got a first-rate College has got only six members in the Service. This was the position in 1916. Dinajpur and Rangpur—two very large districts—have not got a single appointment. It follows necessarily from the figures quoted above that the Muhammadans who form an overwhelming majority in some of these Divisions and districts have suffered very largely in the matter of appointment in the Judicial Service.

It may be said in defence that all districts and communities are not equally advanced in education, and hence this inequality. But because all communities and districts are not equally represented that is precisely the reason why we have got to tolerate the system of nomination. My Lord, it is high time that this state of things should be amended."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ moved, by way of amendment, that at the end of the resolution (item No. 15) to be moved by the Hon'ble Babu Akhil Chandra Datta the following be added, namely:—

Provided as follows:—

(*i*) that half the appointments in the Provincial Executive Service be filled up by Muhammadans, the selection to be made by means of open competition amongst Muhammadan candidates in accordance with rules to be framed by the Governor in Council;

(*ii*) that a suitable number of appointments be set apart for Muhammadans in the Provincial Judicial Service to be filled up by competition amongst Muhammadan candidates, the proportion of Muhammadan appointments to the total number of appointments being fixed by the Governor in Council from year to year, and that the said proportion be steadily increased as quickly as possible in order that the ultimate proportion of Muhammadans in the Provincial Judicial Service may also be half the total number of the members of that Service.

Maulvi A. K. Fazl-ul-Haq.

He said :—

"My Lord, I extremely regret that I find it difficult to accord my whole-hearted support to a resolution which is certainly in accord with the progressive tendencies of the age and which seeks to introduce a much-needed reform in the system of recruitment for two of the most important branches of the public services in this country. My Lord, I admit that the system of recruitment by open competition is still, in spite of some obvious drawbacks and by common consent, much superior to the system of recruitment by pure nomination. My quarrel is not with the principle underlying the recommendation of the resolution, but with the proposed application of this principle in actual practice. And if, at the present moment, I rise to propose an amendment to the resolution which has just been moved, it is from this point of view alone that I move this amendment in this Council. My Lord, I feel sure that my Hon'ble friend who has moved this resolution will admit that it is essentially necessary, in the interests of the administration itself, that the various classes and communities should have as much effective voice in shaping the policy of the administration as could consistently be arranged, having regard to the efficiency of the administration itself. In other words, I think it is an accepted principle that the various classes and communities should have as much representation in the various public services as is consistent with administrative efficiency. If that principle is conceded it becomes necessary for us to see how a recommendation like the one embodied in the resolution will work in actual practice. So far as 50 per cent. of the appointments are concerned, I think it goes without saying that very few of the other communities, except the Hindu community, will be represented amongst those who are interested in getting an appointment. The other communities are not sufficiently advanced to be able to win for themselves a sufficient number of places in the system of open competition. There remains therefore 50 per cent. of the appointments in the hands of Government in order to effect due representation of various interests. My apprehension, my Lord, is that in the distribution of these 50 per cent. posts the interests of my community may suffer. At the present moment, the whole number of appointments can be so adjusted as to secure a just and equitable representation of various interests. Take, for instance, the case of the appointments that have recently been gazetted. Of the ten Deputy Collectors that have been appointed, three are Muhammadans and seven belong to other communities. I believe, subject to correction of course, that not a single Muhammadan succeeded in securing any of the divisional nominations, and that Your Excellency gave three of the appointments in your gift to the three Muhammadans in order to secure proper representation of the Muhammadan interests in this Presidency. Supposing the recommendations contained in this resolution had been accepted, five of the appointments would have been filled by competition and the other five would have remained in the hands of the Government in order to secure the interests of other communities. One can say at once that the representation of other communities would have been lessened very considerably if the total number of appointments in the hands of Government had been reduced from ten to five. It is for this reason, and under this apprehension, that as soon as I got notice of this resolution I submitted a notice of the amendment which stands in my name. I must admit, however, that in asking that 50 per cent. be reserved for my community, I have asked a little too much more than I ought to have done. What I ought to have said was that every year Government ought to set apart a certain number of appointments in order to secure due representation of the various communities, and instead of providing for a system of pure nomination, we might have competition in compartments, if I may use the expression, competition limited to the members, of the various communities whose representation it is intended to secure ; for instance, of the ten appointments, arrangements might be made for four to be given to the Hindu community, to be filled up by competition amongst Hindu candidates, four appointments to the Muhammadan community to be filled up by competition amongst Muhammadan candidates and two appointments to be distributed so

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as to secure the representation of other interests, *i.e.*, whenever you want to select the members of a particular community for the service, instead of making the selection by pure nomination you take the very best amongst the communities by means of a system of open competition. However, if Your Excellency's government think it fit to accept the resolution with the amendment I have proposed, the details will, of course, have to be worked out by Government and I shall have no objection if, in that readjustment, the proportion is slightly reduced from 50 to a lower figure. All that I require is that adequate provision be made in this system for the protection of our interests and instead of the appointments being filled by a system of nomination, they should be given to the best Muhammadans available who will be selected by a system of open competition. With these few words, I submit my amendment for acceptance by the Council."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, the system of competition is always a good thing. There was a time when the nomination system was in force, but with the spread of education it would be a welcome thing, if the nomination system is not adhered to. It is for this reason that we, the people of this Province, are very much anxious to have the competitive system to be enforced. With regard to the question that has been raised as to locating officers division by division is a question which demands the consideration of Your Excellency's government. If this resolution be adhered to, I am almost sure there will be no difference of opinion. At the same time the principle which is advocated by my friend, Hon'ble Maulvi Fazl-ul-Haq, ought to be considered in this manner, viz., that if the question be left to the decision of their community, there are persons who will press for it whenever the question comes up for discussion. As a matter of experience I have seen that many Muhammadans are not yet competent to hold their own against the claims of Hindus, but at the same time we Hindus and Muhammadans consider ourselves brethren; we live in the same soil, we drink the same water, and we are under the same paternal British Government, and therefore the question can be easily solved by ourselves. When my friend, the Hon'ble Babu Akhil Chandra Datta, raised this important question for the decision of the Council, we thought it necessary to discuss it not only in the Council but outside, but as the question could not be solved in a way which would satisfy both communities it will be for Your Excellency to consider whether the resolution as put forward should be carried out or not at present. I think the problem can be solved in the way in which the matter is put before Your Excellency's Council, viz., that as regards the claims of the Muhammadans. This point should be considered, when necessity arises."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, I have too great a regard for the strong commonsense of the Hon'ble Maulvi Fazl-ul-Haq to think even for a moment that he wants to imitate the example of Sir J. D. Rees in the House of Commons by interposing riders counterbalancing resolutions and thereby weakening them. I have not the slightest objection to his pressing the claims of his own community; he is fully justified in doing so, but ordinary prudence would dictate some degree of forbearance at the present moment. We had the competitive system for some time since the days of Sir Stuart Bayley; it was withdrawn under the policy of one of the reactionary Viceroys of India and since then we have seen the mischief done both in the Services as well as in the public

morality owing to a system of nomination. I think we ought now all to join hands to see that the old system is restored, and we ought not to quarrel about the division of the crop when the seedlings have not yet sprouted again. The only service that we can do by raising this racial question now is to weaken our position and to make it quite easy for the judge or the bench of judges who have to decide over our resolution, to dismiss both the appeal and the cross appeal with costs, leaving both parties sadder though not the wiser for the result. I would, therefore, earnestly request my friend, Maulvi Fazl-ul-Haq, to withdraw his amendment for the present, so that if we could have the competitive system restored, it will be time for him as well as members of other communities to come forward for an equitable distribution.

Much has been said by the mover of the resolution as regards the evil consequences of this nomination system. They are well known to everybody in this Council. Lord Sydenham complains that we are not yet ripe for self-government because there is a caste system amongst us. I do not know if Lord Sydenham is aware that the British Government of the day has instituted an official caste system almost as rigid as the Brahmanical caste system. If Your Lordship will order a statement to be prepared just to see where this nomination system has taken us to, Your Excellency will be startled to find that the Services have been filled up nearly, I should say, by three-fourths of the appointments being given to the relatives of those who are already in the Services. In fact the rules have gone so far as to require one of the conditions of the application to state whether he has got any member of his house in Government service or not, and if it is this system which we are going to perpetuate, I believe I have not exaggerated the situation at all when I say that the Government have instituted a caste system more rigid and more tyrannical than the Brahmanical caste system which now stands in our way according to Lord Sydenham, in getting any reforms in this country. I hope and trust that sufficient unto the day has been the evil thereof. Let us now look to real merit—real merit which will not only be encouraging to the young generation that is coming before us, but will also conduce to strengthen, improve and elevate the services which they are called upon to fill. I hope and trust that the nomination system which has demoralised not only the people, but also those in whose patronage the services are, will be abolished and Your Excellency will inaugurate an era which will put an end to this demoralising system reckoning nothing but merit, intellectual qualifications, moral qualifications as well as status in society, if that is also to be considered to be the real basis of fitness for service under the Crown. In my opinion the nomination system, to say the least of it, is the most degrading system, and I think no one can advocate it except for the purpose of securing patronage in his hands. I will not say much on this point at this late hour, but I hope and trust that the day has come when there ought to be a change in the system of recruitment."

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord, I rise to support the amendment of my Hon'ble friend to the left; in doing so I shall associate myself fully with the principle of the resolution itself. I am, however, surprised to find that such a staunch leader of the nationalist party like Babu Ambika Charan Mazumdar should have found fault with my friend's amendment because it demanded class representation. I believe that he and the whole people now recognise that communal representation is necessary. What my friend, Maulvi Fazl-ul-Haq, said and I repeat it again—is that we want like other interests that these posts should be filled by the best men available in that community. Nobody denies that the system of nomination is demoralising because every appointment that goes vacant about 100 graduates and young men will run after in securing nomination. But if there be a

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system of competitive examination those young men will only compete who think themselves capable of meeting their fellows in the open field. And in these days every graduate that comes out of the University tries his best to get a nomination for the Provincial Executive Service. With reference to the appointment of Mahammadans I would only say that the present system affects very badly the Muhammadans of certain parts of this Presidency. Each Commissioner has to send one nomination and he has to choose either a Hindu or a Muhammadan and what has happened this year is this that no Commissioner sent in a Muhammadan nomination and what often naturally happens is that some of the eastern districts get Muhammadan nomination and the western districts get Hindu nomination. So the Muhammadans in the western districts have no chance of getting into the Provincial Service. I find that since 1910 not a Muhammadan from the Burdwan Division has been appointed to any of the Provincial Services on the recommendation of the Commissioner of the Division and only two have been appointed direct by the Government—one to the Educational Service and the other to the Executive Service. With these words I beg to support the amendment and I hope that the Hon'ble mover of the resolution will see his way to accept it though it introduces a stipulation of 50 per cent., but the mover of the amendment has himself said that we will be satisfied with a representation of the community which will be as adequate and equitable as the Government think fit."

The Hon'ble Sir H. WHEELER said :—

"Sir, it seems characteristic of anything connected with the recruitment of a service that no sooner is any plan decided on than influences are set on foot which sooner or later lead to a demand for a change, and that fact, read with the history of the fluctuating fortunes of the rules governing some of our services, leads almost to the pessimistic conclusion that we will never arrive at a system which is anything approaching perfection, or which will not be open to attack on theoretical grounds. In no service, perhaps, has this fluctuation been greater than in the case of the Provincial Executive Service. Various members have already referred to different changes in the rules, and I have no wish to recapitulate them in detail; but since 1868 to the present day, there have been no fewer than six occasions on which radical modifications have been made in the system on which the service is recruited. During that time Government has traversed the ground between pure nomination, competition and partial competition between selected or nominated candidates, and we have finally arrived since 1905 at the present method which is firstly that of promotion from the Subordinate Service, a very important and unobjectionable method to which no reference has been made this evening, but to which few will probably take exception, secondly, nomination by Commissioners of Divisions who submit names to Government for final approval, thus giving effect to the territorial distribution that has been advocated to-night, and thirdly, direct appointment by Government. That is our present method of recruitment to the Provincial Executive Service, and as I have said, it has been arrived at after many changes.

In the case of the Provincial Judicial Service, there has been more conservatism, whether because it is more associated with a body which is less exposed to the influence of public opinion than the Executive Government, and perhaps, therefore, less amenable to these influences. I will not excite controversy by attempting to surmise, but the system in force in the Judicial Service is one of nomination, subject to the possession of minimum educational qualifications, and the nomination practically rests in the hands of the High Court. That system, contrary to the experience of the Executive Branch, has been in force for the last 50 years, and a relevant point is that these particular rules are statutory rules, framed under the Civil Courts

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Act of 1867 (Act XII of 1867) after consultation with the High Court and subject to the approval of the Government of India. That fact militates against any rapid change made as the result of discussion here only.

That, Sir, is the present position as regards these two services. The resolutions which have been moved this afternoon are practically, in so far as that of the Hon'ble Babu Akhil Chandra Datta is concerned, that we should revert to a system of mixed competition and nomination, in the proportion of half and half for both services, extending to the Judicial Service something akin to the territorial distribution which we already have on the Executive side; to this the Hon'ble Maulvi Fazl-ul-Haq would add a rider specially protecting the interests of Muhammadans, and as I understand it, would reserve one half of the appointments to be competed for by Muhammadan candidates only. The net result of the Hon'ble Babu Akhil Chandra Datta's suggestion is that we should revert very much to what was the practice in 1893, although we then also had the channel of promotion from the Subordinate Service to which I have already alluded. The idea of the Hon'ble Maulvi Fazl-ul-Haq is newer in so far as the rules are concerned, in that he desires to introduce a racial stipulation. It may be welcome news that at this late hour I do not propose to re-traverse the oft-repeated arguments in the old controversy of nomination *versus* competition, but before passing to the recommendations which I would submit to the Council as regards the treatment of this resolution, there are three general points upon which I will briefly touch.

The proposal of the Hon'ble Babu Akhil Chandra Datta, as I have said, is a reversion to a state of things which was once more or less in force and which could doubtless be introduced again; but in so far as it was in force and was abandoned after considerable discussion, there is at least *primâ facie* grounds for thinking that in practical working it proved defective. With much of what he has said, I am personally in very considerable sympathy, but it is going back to an arrangement which once existed and which was deliberately abandoned and also by introducing two methods of recruitment, one by competition and one by direct nomination, you considerably impair the homogeneity of the service.

The second point of the territorial distribution of appointments has received attention in the past, and on its merits is deserving of consideration. On the Executive side, as I have explained, we already provide for a fair distribution of appointments throughout the different Divisions of the Province. On the Judicial side, that is not the case, although the matter was raised in a question in this Council in 1916, and figures were then compiled in the Secretariat which undoubtedly showed that the Dacca Presidency (including Calcutta) and Burdwan Divisions, in that order, did get a lion's share of the appointments. The High Court was not at that time addressed, partly because the revision of the rules had already been mooted in 1914 and the whole subject was in abeyance pending the larger enquiry of the Public Services Commission. I admit this is a matter of some importance, but on the other hand the territorial argument is not the sole one, as obviously regard must also be had to considerations of fitness.

The third general point concerns the distribution of appointments between Hindus and Muhammadans, and that too is not a new topic, while it is one which is constantly occupying the attention of Government. Going as far back as July 1885, it was emphasized in a published resolution of the Government of India, and we have more recent instances in our Secretariat records. Thus in 1906 our predecessors addressed the High Court in the interests of Biharis and Muhammadans. The answer of the High Court was to the effect that the small proportion of appointments held by these classes was mainly the result of the paucity of qualified candidates from them. They maintained that on the basis of the numbers of these classes who passed the

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B. L. examination in late years the ratio of the persons enrolled to qualify was in excess in the case of Muhammadans. But they promised to look into the matter. Again it was raised in 1914, and as showing that there are considerations on both sides, I will read a brief extract from what the High Court then wrote :—

'The paucity of suitable Muhammadan candidates, however, continues to be the chief difficulty in giving this class a proportionate share of appointments. Since April 1912, when the provinces were reconstituted, there have been only five applications from Muhammadans for admission to the Bengal cadre of the Provincial Judicial Service, and of these two had not the necessary qualifications. The remaining three candidates, however, were enrolled, and of these one has been given an appointment and the name of another is now on the special list. No Muhammadan has appeared for enrolment during the current year.'

So much for the Judicial Branch. Touching the Executive Branch, this is a matter which we constantly keep in view, and the Hon'ble Member himself admits that attention has been paid to it in the selection of candidates this year, though possibly not to the extent to which he himself desires. But in any argument based on the totals of Hindus and Muhammadans in the different services, I would ask the Council to remember that until recent years, as I think will be admitted even by my Muhammadan friends, the proportion of educated Muhammadans was not as high as it is now. Therefore, if you merely look to the total proportion of Muhammadans, the position of Muhammadans seems to be worse than it really is, and to get a fair idea of the facts, you should pay more attention to the figures of recent years. By way of illustration I will merely quote some figures that were compiled in 1913, which show that at that time in Bengal since 1903, 179 Hindus and 61 Muhammadans were nominated for the Provincial Executive Service; in Eastern Bengal and Assam 56 Hindus and 39 Muhammadans. These proportions do not amount to the half and half which the Hon'ble Maulvi Fazl-ul-Haq advocates, but as I have said they are better than the conclusions which might be drawn if you merely look to the totals of the whole service. The proposal to embody a racial qualification in the rules is new, and is open to various objections, since there are other considerations which should affect the selection of candidates, and one thing, to which there will probably also be agreement, is that in making promotions from the Subordinate Service you should not have regard to the particular religion of individuals who have already been admitted into the employment of Government.

So much by way of general criticism which will suffice to show that the problem is not altogether simple while the points that have been raised have not escaped the attention of Government.

If the pessimistic conclusion is correct that we can never arrive at perfection, I would urge that we should be very largely guided by the practical results of the method in force. We should judge it to a large extent by whether it produces on the whole a fairly satisfactory body of men, and I am not prepared to accept the contention of Hon'ble Babu Ambica Charan Mazumdar that the present members of the service are markedly inferior to those who have gone before them.

Well, Sir, so much for the general merits of the question, but as matters stand we are not in a position to make a final pronouncement upon it. As is well known, this is a subject which, among many others, engaged the attention of the Public Services Commission, and in the light of their recommendations we have to go into the whole matter, after consulting and giving opportunities for the expression of public opinion which we have already promised. As a matter of fact, the recommendations of the Public Services Commission are not in accord with the proposals embodied in these resolutions. In the case of the Executive Service, the Public Services

Commission recommended nomination, subject to the possession of minimum educational qualifications, by a mixed official and non-official committee; while in the case of the Judicial Branch, they were satisfied with the position of that committee being taken by the High Court. That was their view, and it is one to which we shall have to attach weight. Directly we have heard from the Government of India, on the lines which have previously been explained in this Council and for which we are now waiting, further consultations will take place with those who are interested, and the debate to-day has been of value as affording an opportunity to various Members to express their views, to which due attention will be paid before we come to any final decision. I have explained that we are bound, both by law and practice, to consult the High Court, and therefore there is special reason in the case of the Judical Service for deferring a decision at the present moment. We therefore cannot accept the resolution which binds us to a particular plan, but we promise to pay attention to it in our subsequent consideration of what the future method of recruitment will be."

The Hon'ble BABU AKHIL CHANDRA DATTA said :—

"My Lord, after the assurance given by the Hon'ble Sir Henry Wheeler that the matter will receive the best attention of Government, I beg to withdraw this resolution."

The Hon'ble Maulvi A. K. Fazl-ul-Haq also agreed to withdraw his amendment.

The resolution and the amendment were then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM Nos. 17 AND 18.

The following resolutions were also, by leave of the President, withdrawn.

17. If resolution No. 15 be not carried, the Hon'ble Babu Akhil Chandra Datta to move that this Council recommends to the Governor in Council that the appointments in the Provincial Judicial Service be hereafter equitably distributed amongst the five Divisions of the Presidency and that the vacancies be filled Division by Division as in the case of the Provincial Executive Service.

18. The Hon'ble Maulvi A. K. Fazl-ul-Haq to move, by way of amendment, that at the end of the resolution (item No. 17) to be moved by the Hon'ble Babu Akhil Chandra Datta, the following be added, namely :—

Provided as follows :—

(*i*) that half the appointments in the Provincial Executive Service be filled up by Muhammadans, the selection to be made by means of open competition amongst Muhammadan candidates in accordance with rules to be framed by the Governor in Council ;

(*ii*) that a suitable number of appointments be set apart for Muhammadans in the Provincial Judicial Service to be filled up by competition amongst Muhammadan candidates, the proportion of Muhammadan appointments to the total number of appointments being fixed by the Governor in Council from year to year, and that the said proportion be steadily increased as quickly as possible in order that the ultimate proportion of Muhammadans in the Provincial Judicial Service may also be half the total number of the members of that Service.

LIST OF BUSINESS—ITEM No. 19.

19. The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved the following resolution :—

This Council recommends to the Governor in Council—

(*i*) that immediate steps be taken for the reconstruction of the entire Subordinate Educational Service, with salaries ranging from Rs. 30 to Rs. 400 a month, the entire service being divided into two branches—the upper branch consisting of 9 grades such as grade 1 with 10 posts of Rs. 400 a month each, grade 2 with 20 posts of Rs. 300 a month each, grade 3 with 30 posts of Rs. 250 a month each, grade 4 with 50 posts of Rs. 200 a month each, grade 5 with 75 posts of Rs. 150 a month each, grade 6 with 100 posts of Rs. 125 a month each, grade 7 with 125 posts of Rs. 100 a month each, grade 8 with 175 posts of Rs. 75 a month each and grade 9 with 211 posts of Rs. 60 a month each ; and the lower branch consisting of 4 grades such as grade 1 with 100 posts of Rs. 60 a month each, grade 2 with 132 posts of Rs. 50 a month each, grade 3 with 206 posts of Rs. 40 a month each and grade 4 with 300 posts of Rs. 30 a month each ;

(*ii*) that the total additional outlay of Rs. 3,80,760 approximately on account of this proposed reconstruction of the Subordinate Educational Service be met from the recurring additional Imperial grant of Rs. 9,00,000 for the improvement of the pay and prospects of the teachers of the Primary and Secondary Schools ; and

(*iii*) that the Lecturers and Demonstrators who have hitherto formed a part of the Subordinate Educational Service be allowed to have the benefit of the proposed reconstituted service if their prospects cannot be immediately improved otherwise.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, I hoped that in distributing the recurring educational grants from the Government of India some relief would be granted to this service, and in September last I also inquired if Government contemplated any change as regards the maximum or minimum pay of the service. The reply was not favourable and I understood that nothing of the sort was under contemplation. I have reason to believe that the whole amount required is not available this year, but provision should be made to grant relief to the members of this service next year. In fact, at present Government spend about Rs. 8,64,000 for the upper branch of the Subordinate Educational Service and about 2 lakhs for the lower grade of the existing service. In the lower grade there are 720 posts and in the upper grade there are 819 posts. I am really anxious for the bottom of the lower branch. About 256 men accept service at Rs. 15 rising to Rs. 35 receiving an annual increment of Re. 1 in 20 years. Now-a-days, when even a cooly earns more than Rs. 20 a month, surely it is not possible for a man with some education and with some family members of his own to maintain himself and his family with this small income. Your Excellency will kindly consider my prayer at this late hour. I do not wish to take up the time by any speech. All I can say is that as far as I understand the recurring grant made by the Government of India also shows that Government are fully convinced of the necessity of some improvement and that improvement should be made as early as possible. In my proposal

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instead of beginning with Rs. 15, I wish to raise the pay to Rs. 30, and instead of ending with Rs. 250, I propose that the maximum should be Rs. 400 so that the service may be somewhat more attractive. The clerks in the Judges' and Collectors' offices begin with an initial pay of Rs. 25 to Rs. 30 a month, and it is but reasonable that in the Educational Department similar provision should be introduced. If the officers are discontented and if it is not possible for them to devote their whole time to the arduous task of educating the people of tender age, it is no wonder that the result is not very satisfactory. With the spread of education we have gained in quantity no doubt, but it is an admitted fact that in quality much improvement has not been made and secondary education has rather deteriorated. My idea is that the present system is responsible to a great extent. In submitting this proposal I have thought over the question of some of the lecturers who are engaged in teaching in the College Department who are not in the Provincial Service. Some of them are qualified, and if no relief can be granted to them immediately, some improvement in their salary might be made by including them in this service. My request is a very modest one, and I believe that it is also in the contemplation of Government that something ought to be done. If an inquiry is needed, that may be made. I have submitted a scheme, which, if accepted, will make it attractive to a certain extent. With these few words I beg to move this resolution."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, although my friend, the Hon'ble Babu Kishori Mohan Chaudhuri, has called his resolution a very modest one, the Government of India are apparently of a different opinion, because when we went up, as we did many years ago, suggesting not very much more than what Babu Kishori Mohan Chaudhuri asks, viz., Rs. 3,80,000—we asked for a little over 4 lakhs—and the Government of India returned it to us on the ground that we could not afford the expense. I mention this only for the purpose of showing that this Government have for many years been extremely anxious to improve the position and pay of the teachers in the Subordinate Services. As the Council is aware, we have now, besides the Indian Educational Service, and the Provincial Educational Service, a third grade, the Subordinate Service which came into existence in 1897, as the result of a recommendation of the Public Services Commission. In that service, that is the Subordinate Educational Service, there are 8 grades ranging from Rs. 50 in the last to Rs. 250 in the first; but over and above the members of the Subordinate Educational Service, there was a very large number of teachers in the lower or ungraded service whose chances of promotion to the grades of the Subordinate Educational Service were practically nil; and it was with reference to these people who are in receipt of pay ranging from Rs. 6 to Rs. 45 a month and with a view to increase their pay that the proposal I mentioned was made by this Government as early as 1903. However, as I have said, that was ineffective and we were asked to send up a more modest scheme. Well, we did put up a more modest scheme and by that another graded service was made up in 1905 which is known as the Lower Subordinate Service, so that besides the Indian Educational and the Provincial Educational Services we have the Subordinate Educational Service with its eight grades from Rs. 50 to Rs. 250 and the Lower Subordinate Service with its 5 grades ranging from 15 to Rs. 20 and Rs. 35 to Rs. 45. When this Lower Subordinate Service was organised, it was quite understood that the grades and the pay fixed were only provisional, and we waited and are still waiting to be able to increase their pay. Speaking not only for myself, but I venture to think for the Government of which I am a member, I can say this, that there is no subject upon which we are more anxious than an increase in the pay of the teachers in our schools. Therefore, though I cannot accept the

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resolution of my Hon'ble friend, I can promise him this that this scheme of reorganization in 1905 which was understood to be provisional will again be considered as early as possible with a view to introduce what he contemplates. We cannot do it now for the simple reason that the pay of the other service, the Provincial Educational Service, and the grades thereof must be first fixed before we can fix the pay and grades of the lower services. That is being done now. There is now a Committee considering that question with regard to the Provincial Educational Service, and when this is finished we will take up these other services. As regards the source from which my Hon'ble friend proposes that we should pay the increased cost of the increase in pay, I can only remind him that this is ear-marked by the Government of India—the 9 lakhs granted by them—and that we cannot spend it otherwise than in accordance with the purpose for which the grant is made. I hope, therefore, that the assurance which I am able to give my Hon'ble friend that an inquiry will be made as soon as possible into the question of the reorganization of the Subordinate Educational and Lower Educational Services, will be sufficient to induce him to withdraw his resolution."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"In view of what has fallen from my friend the Member in charge of Education, I think I should not press for it, and I am glad and am really thankful to him that an inquiry will be made as early as possible and some improvement will be made. With these words I beg to be permitted to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 20.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI, before moving his resolution (item No. 20), said :—

"I ask Your Excellency's permission to move this at the next meeting of the Council as the hour is rather late."

The PRESIDENT said :—

"I am afraid I cannot permit Hon'ble Members to postpone resolutions after once they have appeared in the Agenda Paper unless there is a good reason for it. If it is for the general convenience of the Council I am quite prepared to adjourn the Council till to-morrow."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, I shall be able to satisfy my Hon'ble friend in a few minutes that he is under an entire misconception."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI then moved the following resolution :—

This Council recommends to the Governor in Council that the amendment made under Government Order No. 380—84—F.L.S.G., dated the 22nd September, 1915, in rule 5 of the model rules for the management of Provident Funds (authorising District Boards to contribute to the Provident Funds of their employees a sum equal to that contributed by the employees themselves) may be extended to the Municipalities of the Province, with the option to any individual Municipality to claim exemption from its operation on grounds of financial difficulty.

Sir S. P. Sinha.

He said :—

"The proposal which I have to submit is not a new one. If my information is correct, it was raised by the Commissioner of the Chittagong Division and the Commissioner of the Rajshahi Division also supported it at the instance of the Jalpaiguri Municipality—that the concession granted to the employees of the District Board as stated in the resolution might be granted to the Municipal employees, and the reply was that that concession could not be granted to the Municipal employees because the Municipalities themselves were too poor to afford such a contribution. That was the reply given, I believe. If my information is correct, that concession has been granted to the employees of the Darjeeling Municipality. My proposal as I have submitted it to Your Excellency is that an amendment be made in Government Order No. 380 in rule 5 of the rules for the management of the Provident Funds. As I submitted, when there was a request made by some Municipalities and it was supported by the Commissioners of two important Divisions, Rajshahi and Chittagong, it was possible that many Municipalities will not raise any objection. If there is any exemption claimed by any Municipality on account of its lack of funds that may be done. So my request is a very modest one, and I hope that the prayer I have made may be granted. It is a very small concession and I hope Government will not reject it. With these few words I commend this resolution for the acceptance of the Council."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, I think this resolution proceeds on a misconception. Both District Boards and Municipalities are required to have Provident Funds for their employees. The employees of a District Board contribute an anna in the rupee and the District Board contributes the same amount under their rules. In Municipalities, the employees contribute an anna in the rupee and the Municipality contributes half an anna, not an anna as in the case of the District Boards. What my friend wants is this that the Municipalities should be made to contribute an equal amount as the District Boards do, that is, an anna in the rupee. There is nothing to prevent Municipalities doing that if they want to. They have only to pass a resolution to that effect and that resolution is according to the law subject to confirmation by the Local Government. The model rules which my friend refers to in the resolution are simply put in for the purpose of Municipalities accepting them or not as they choose. It is not obligatory upon them ; if they like they can fix any amount as the rate of contribution by the Municipalities. They can pay more than they do now if they like. In the case of Darjeeling and Kurseong which was mentioned by my Hon'ble friend, and also in the case of Howrah which was not mentioned, they came up and said that they were able to pay as their contribution the same amount as their employees paid, and in fact if they did not, it was rather difficult for them to get good men living there, for instance in Howrah, to serve under less favourable circumstances than in Calcutta ; therefore, they wanted to pay more and Government said they could if they liked. With regard to the others, for instance, Chittagong, when they came up and said they wanted to do the same, the Government looked into the state of their finances. The law requires that they should do so before giving sanction, because if Municipalities propose to pay, they should have enough left for other purposes. It is entirely for the Municipalities to consider this ; there is no compulsion. They have to come to the Government if they want to contribute more, and the Government have to consider in each individual case whether they are in a position to do so.

My Hon'ble friend suggests that we should make it compulsory for all Municipalities, whether they are willing or not, and whether they can afford it or not ; that we should impose upon them the obligation to pay one anna in the rupee, whereas they cannot now always afford to pay even half-an-anna.

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Adjournment.

The Municipalities would be the first to object, if we did so, that we are most oppressive in our control of municipal affairs. I think it is obvious that we cannot possibly accept this resolution and impose upon an unwilling Municipality the duty of paying more to its Provident Fund than it can afford to do."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, I cannot understand. It is not my intention to ask Government to make it obligatory. It is clear in my resolution that it should be left to the option of any Municipality to claim exemption on the grounds of financial difficulty. I simply want that option might be given, as in the case of Chittagong it was rejected. Of course I am satisfied with the Hon'ble Member's observation that, if any individual Municipality is in a position to do it, it will be allowed. If that is done, of course many Municipalities will be willing to show that indulgence to their employees. I do not wish that any hard-and-fast rule should be made by Government to force it upon unwilling Municipalities as well. If this is done, it will be quite satisfactory—I mean—if that expression is given publicity, that the Municipalities, if they like, and if they can show that they are in a position to bear the expense, then they will be allowed and Government will have no objection to it. If that is a fact, I will be fully satisfied."

SIR S. P. SINHA said :—

"That is what is being done now."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"If that is so, I do not press for my resolution."

The PRESIDENT said :—

"I think the Hon'ble Member may be sure of that fact, which has been made quite clear."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"I do not wish to press the resolution; I am satisfied with the observation of the Hon'ble Member that if the Municipalities choose they can do it."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 21.

The Hon'ble MAULVI ABUL KASEM asked for leave to withdraw the following resolution which stood in his name :—

This Council recommends to the Governor in Council that the name of the Asansol Municipality be removed from the first Schedule to the Bengal Municipal Act, 1884 (Ben. Act III of 1884).

The resolution was, by leave of the President, withdrawn.

ADJOURNMENT.

The Council was then adjourned to Tuesday, the 18th December, 1917, at 11 A.M. at Government House, Calcutta.

A. M. HUTCHISON,
Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA;
The 7th December, 1917.

B. S. Press—21-12-1917—2327J—350—C. A. P.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Tuesday, the 18th December, 1917, at 11 A.M.

Present :

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble SIR S. P. SINHA, KT.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SURGEON-GENERAL W. R. EDWARDS, C.B., C.M.G.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. J. DONALD.

The Hon'ble MR. L. S. S. O'MALLEY.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. C. H. BOMPAS.

The Hon'ble MR. W. C. WORDSWORTH.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. E. B. H. PANTON.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR, I.S.O.

The Hon'ble DR. NILRATAN SARKAR.

The Hon'ble MR. J. MACKENZIE.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. PROVASH CHUNDER MITTER.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., Maharajdhiraja Bahadur of Burdwan.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI, C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. F. W. CARTER, C.I.E.

The Hon'ble SIR A. BIRKMYRE, KT.

The Hon'ble MR. E. B. EDEN.

The Hon'ble MR. E. A. MARTIN.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU MAHENDRA NATH RAY, C.I.E.

The Hon'ble MR. K. B. DUTT.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

LIST OF BUSINESS—ITEM NO. 1.

STARRED QUESTIONS.

The following starred questions were replied to :—

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR

*1. Will the Government be pleased to state whether it is a fact that non-official visitors to jails in Bengal have been informed that they are not allowed to inspect or inquire about political prisoners in jails, and, if the answer is in the affirmative, whether any steps have been taken to appoint special vistors for such prisoners? Non-official visitors and political prisoners.

Answer by the Hon'ble MR KERR :—

"It is understood that the question refers to persons detained under Regulation III of 1818. These persons are detained under the warrant of the Government of India and the Regulation provides for the appointment of visitors. Such visitors have been appointed by the Government of India and are distinct from the ordinary jail visitors appointed by the local Government. Instructions have been issued accordingly to the jail authorities."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

*2. (*a*) Is it a fact that at the Bagerhat Jail in the district of Khulna, Hindu prisoners are compelled to take their food from utensils used by Muhammadans? Hindu prisoners in Bagerhat Jail.

(*b*) If the answer be in the affirmative, will the Government be pleased to state whether they are taking any steps to remedy this state of affairs?

Answer by the Hon'ble MR. KERR :—

"No. There are separate cooking arrangements and utensils for Hindus and Muhammadans."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

*3. Will the Government be pleased to state how much money is likely to be spent by the 31st March, 1918, out of the special grant of Rs. 2½ lakhs provided in the Budget for 1917-18, for mitigating the effects of floods in the Burdwan Division? Burdwan.

Answer by the Hon'ble MR. COWLEY :—

"It is anticipated that the full grant of Rs. 2½ lakhs provided in the budget for 1917-18 for mitigating the effects of floods in the Burdwan Division will be expended before the 31st of March, 1918."

UNSTARRED QUESTIONS.

The answers to the following unstarred questions were laid on the table :—

By the Hon'ble MR. PROVASH CHUNDER MITTER :—

Village Union Committees.

I. (*a*) Will the Government be pleased to give an approximate idea of the total number of Village Union Committees that will have to be formed in order to parcel out all the districts in the Province of Bengal into Village Union Committees?

(*b*) How many Village Union Committees have been formed up to date?

(*c*) At the rate of progress for the last three years, what time is it likely to take to parcel out the whole of the Province into Village Union Committees?

(*d*) What is the existing machinery for starting, guiding and supervising Village Union Committees?

(*e*) Is the existing machinery well able to cope with the work indicated in clause (*d*)?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) Taking the average area of a Union as 10 to 12 square miles, the number is 7,000 to 7,180.

(*b*) The total number sanctioned up to date is 233.

(*c*) Ten Union Committees were formed in 1914-15, 8 in 1915-16, and 72 in 1916-17: the formation of 77 more Unions has been sanctioned since the end of the last year. The rate of progress in the past does not afford a criterion of the rate that may be possible in the future. It is hoped that when the Village Self-Government Bill passes into law, there will be a rapid extension of village self-governing bodies and that eventually there will be a network of them throughout the Presidency.

(*d*) Recently the District Board of Murshidabad has submitted proposals for starting Union Committees, but with this exception the initiative has hitherto been taken by the local officers of Government. The Union Committees are under the control of the District Boards, but in practice they are dependent for guidance and supervision on the District and Subdivisional Officers, and also on Circle Officers in districts in which such officers have been appointed.

(*e*) The number of Union Committees has, until recent years, been so small that the machinery has been adequate. Progress is at present checked by the limited number of Circle Officers available, but it is hoped to increase the number of these officers very considerably during the next few years."

By the Hon'ble MR. PROVASH CHUNDER MITTER :—

Co-operative movement in Bengal.

II. Taking into account the facts that the total number of members of the Co-operative Credit Societies in Bengal is only 121,833 (including non-agricultural societies) and the total agricultural population is over 33 millions, will the Government be pleased to give an approximate idea as to what time it is likely to take to confer the benefits of the co-operative movement on at least half the agricultural population of Bengal? Will the Government be pleased to state whether they are taking any steps for the expansion of the movement?

Answer by the Hon'ble MR. KERR :—

"A statement is laid on the table showing for each year since the beginning of the Co-operative movement the number of societies and the number of members in the districts which now constitute the Presidency of Bengal. The Hon'ble Member is reminded that the rate of progress shown by this statement is far more rapid than was the rate of progress of Raiffeisen Loan Banks in Germany. The first German bank was opened in 1849, the second in 1854, the third in 1862, and the fourth in 1868. It was not until 1880 that they began to multiply perceptibly, and the number of 2,000 was reached in 1896, 37 years after the inauguration of the first bank. Government are not prepared to prophesy regarding the date by which half of the agricultural population of Bengal will be receiving the benefits of the Co-operative movement.

The question of increasing the staff of the department with a view to more rapid expansion is under consideration."

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. 11 (unstarred) asked by the Hon'ble* MR. PROVASH CHUNDER MITTER *at the Council Meeting of the 18th December, 1917, showing the progress of the Co-operative movement in Bengal during the period 1904-05 to 1916-17.*

Year.	Number of Co-operative Societies.	Number of members.
1904-05	20	957
1905-06	34	1,767
1906-07	83	4,621
1907-08	225	8,043
1908-09	311	11,918
1909-10	473	20,732
1910-11	719	29,674
1911-12	943	38,569
1912-13	1,121	57,061
1913-14	1,663	90,363
1914-15	1,992	107,118
1915-16	2,243	121,833
1916-17	3,086	143,448

By the Hon'ble MR. PROVASH CHUNDER MITTER :—

III. (*a*) Has any officer been appointed to inquire into the question of primary education in Bengal as promised by the Hon'ble Sir S. P. Sinha at the meeting of the Council held in September? Primary education in Bengal.

(*b*) If so, who has been so appointed?

(*c*) When did he start his work and when is he likely to submit his report?

Answer by the Hon'ble MR. O'MALLEY :—

"Mr. M. P. West, of the Indian Educational Service, has been placed on special duty for six months with effect from the 1st November, 1917, to conduct a survey of the state of primary education in Bengal. He is expected to submit his report on the conclusion of his special duty."

By the Hon'ble MR. PROVASH CHUNDER MITTER :—

IV. Will the Government be pleased to state the reason for not admitting eligible female students into the Calcutta Medical College? Female medical students.

Answer by the Hon'ble MR. DONALD :—

"Government welcome the opportunity of giving a general statement of the facts of this case, which will incidentally answer questions IV—VII.

In 1884, the late Maharani Swarnamoyee came forward to supplement the efforts which were then being made by the local Government to encourage the provision of qualified female medical practitioners, and made a donation of Rs. 1½ lakhs for the promotion of female medical education. She imposed no restrictions upon the mode in which her gift should be administered, but it was understood at the time that she would be gratified if the money was expended on the construction of a hostel for Indian ladies studying medicine in Calcutta. Arrangements were consequently made for the construction of the hostel in the grounds of the Medical College, Calcutta, which now bears the name of the donor, at a total initial cost of Rs. 1,66,369, the difference between that sum and the amount given being borne by Government. Subsequent to that date, major improvements have been made in the hostel at a cost of Rs. 9,300, which has also been paid by Government. The management and control of the hostel was at first entrusted to the Bengal Branch of the Committee of the Dufferin Fund, but since 1913 it has been in the hands of the Governing Body of the Medical College; the whole cost of upkeep is met from provincial revenues, and the staff attached to it are treated as Government servants. There are at present 18 lady students at the College, of whom only one is of pure Indian nationality. In the last five years only 16 lady students have qualified, and of these only two bear Indian names; out of the 18 lady students referred to only 11 come from Bengal.

As is known, the number of male students in the Medical College has increased largely in recent years, the total being returned as 1,040 in 1917-18, as compared with 149 in 1889-90. It is also well known that more students apply for admission to the College than can be accommodated. Apart from this increase in the numbers to be taught, the expansion of the activities of the institution in many directions has led to an acute pressure on the space available within its boundaries, and it has become very desirable to find more accommodation for various purposes. Objection, again, has frequently been taken to the education of male and female medical students in the same institution, and there are various drawbacks attaching to arrangements for a few ladies only in a college of over 1,000 students of the other sex.

In these circumstances, a proposal was mooted that the hostel should be taken over for the general work of the College, while arrangements should be made for the education of lady students elsewhere. The Lady Hardinge Medical College at Delhi was started with the deliberate purpose of giving separate medical education to ladies in an institution staffed by ladies and if the female students who had hitherto resorted to the Calcutta Medical College betook themselves in future to Delhi, their training could be completed in entirely suitable surroundings. Pending a final decision on this suggestion, the admission of more lady students to the Medical College was suspended, and it may be mentioned that no Indian student has, as a fact, joined the College since 1911-12; in any event, the present arrangements will be continued until those at present under tuition complete their training.

There has been subsequent discussion regarding the precise facilities which might be offered to ladies proceeding for this purpose to Delhi and enquiries have been made of the authorities of the Delhi College as to the possibility of admission there of ladies from this province. No final decision has been come to in the matter, and there is no wish to deal with the question without hearing the views of those interested in it. If the latter will communicate their opinions they will be duly considered.

There is no intention of depriving ladies in Bengal of the opportunity for medical training; the scheme outlined would ensure this opportunity in circumstances more suitable than those which at present exist, while incidentally facilitating the work of the Medical College in the manner described. The action which has been taken has been with the knowledge of the Hon'ble Maharaja Manindra Chandra Nandi, of Cossimbazar, as representing the deceased donor.

As regards the specific reference in question VII of the Eden Hostel, that institution is excellently fitted for the training of men and women in gynæcology, but it is not a zenana hostel, it is already fully utilised for purposes of training, and is in fact almost inadequate for the numbers of students under instruction."

By the Hon'ble MR. PROVASH CHUNDER MITTER :—

V. (*a*) Is it a fact that the late Maharani Swarnamoyee built a hostel for facilitating the study of medicine by women in India? Hostel for female medical students

(*b*) If so, is that building a trust building in the possession of the Government?

Answer by the Hon'ble MR. DONALD :

"The Hon'ble Member is referred to the statement made in reply to question No. IV."

By the Hon'ble MR. PROVASH CHUNDER MITTER :—

VI. If it is a fact that eligible female students are no longer admitted into the Medical College, will the Government be pleased to state how it is proposed to facilitate medical studies amongst female students especially in this Province? Medical studies amongst female students

Answer by the Hon'ble MR. DONALD :—

"The Hon'ble Member is referred to the statement made in reply to question No. IV."

By the Hon'ble MR. PROVASH CHUNDER MITTER :—

VII. (*a*) Are the Government aware of the opinion that has been expressed that the Eden Hospital is one of the best, if not the best, institution for the medical training of women in India, and especially for the relief of zenana women? Medical training for women

(*b*) Is this institution fully utilised for such training?

Answer by the Hon'ble MR. DONALD :—

"The Hon'ble Member is referred to the statement made in reply to question No. IV."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

VIII. (*a*) Is it a fact that Muhammadan boarders have been directed to remove from the boarding quarters attached to the Dacca College to rooms in the Secretariat building? Muhammadan student boarders at Dacca.

(*b*) What were the total charges, item by item, which boarders had to pay in the College boarding quarters and what will be the total charges, item by item, in the Secretariat?

(*c*) Will the Government be pleased to state, in detail, the reasons which led them to remove the Muhammadan students from the College boarding quarters to the Secretariat?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) Yes.

(*b*) The charge for Muhammadan students in the Dacca College hostel was only Re. 1-14 a month, viz., Re. 1 on account of electric light, 10 annas on account of conservancy and 4 annas on account of the hire of furniture. The number of Muhammadans in the College hostel was 34, and the same number of boarders in the Secretariat building pay Re. 1-14 or, if they provide their own furniture, Re, 1-10. Others pay Rs. 3-8 a month. The question whether the scale of fees should be revised is under the consideration of Government.

(*c*) It was decided to open a hostel in the Secretariat building in order that Muhammadan students living in unsuitable localities might be provided with good hostel accommodation and brought near the College, the gymnasium and the playing-fields; and it was considered desirable that those living in the College hostel should live together with their Muhammadan fellow-students.

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Conversion of Mohsin grants into scholarships.

IX. (*a*) Will the Government be pleased to state whether leading non-official Muhammadan gentlemen were consulted before the conversion of Mohsin grants into scholarships was decided upon?

(*b*) If so, will the Government be pleased to lay on the table copies of opinions received from such sources?

Answer by the Hon'ble MR. O'MALLEY :—

" (*a*) It is presumed that the Hon'ble Member refers to the conversion into stipends of the grant given from the Mohsin Fund to schools and colleges on account of short fee payments of Muhammadan pupils and students. The answer is in the negative.

(*b*) In view of the answer to (*a*) this question does not arise."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Vacancies in the Alipore Judge's Court.

X. Is it a fact that recently on the occasion of a few vacancies in the Alipore Judge's Court, Muhammadan applications were not entertained, and that the vacancies were all filled up by the appointment of Hindus?

Answer by the Hon'ble MR. KERR :—

" Recently there were nine vacancies for probationers in the office of the District Judge, 24-Parganas, and there were 105 applicants, of whom seven were Muhammadans. The District Judge considered their applications, but was unable to appoint any of them on that occasion. Subsequently, when three more vacancies occurred, the Judge sent for six of the Muhammadans who had previously applied. Only two, however, appeared; one was over age, but the other was appointed."

By the Hon'ble MAULVI A K. FAZL-UL-HAQ :—

Grievances of a Muhammadan probationer.

XI (*a*) Will the Government be pleased to state whether the following statement is correct :—

One Tejarat entered the Jessore Collectorate as a probationer, after having passed the Entrance Examination and served at Magura as a comparing clerk for five years since 1912. His services were dispensed with owing to a fall in copying fees. At about this time, there was a vacancy in the Collector's office and many Muhammadans, including Tejarat, applied. The appointment was given to a Hindu who was much junior to Tejarat?

(*b*) Will the Government be pleased to state the total number of ministerial officers in the Jessore Collectorate, and also how many of these are Muhammadans?

(*c*) Will the Government be pleased to state why the appointment in the vacancy referred to in clause (*a*) above was not given to Tejarat or to any Muhammadan and also why a Hindu, junior to Tejarat, was selected?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*c*) The Hon'ble Member is referred to the answer given to the question on the same subject [LV (*c*)] asked by the Hon'ble Maulvi Abul Kasem in the Council meeting held on the 20th November 1917.

(*b*) There are 59 ministerial officers in the Jessore Collectorate, of whom 14 are Muhammadans."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

XII. (*a*) Will the Government be pleased to lay on the table all papers relating to the establishment of the Permanent Committee for the supervision of Muhammadan Marriage Registrars? Supervision of Muhammadan Marriage Registrars

(*b*) What were the objects for which the Permanent Committee was originally established and on what principles have appointments to the Permanent Committee been made in the past?

(*c*) What has been the average annual expenditure on account of the travelling allowances of members of the Permanent Committee for the period—

(*i*) from the establishment of the Committee up to the 30th November, 1917;

(*ii*) from the constitution of the present Presidency up to the 30th November, 1917.

Answer by the Hon'ble MR. KERR :—

"(*a*) The Permanent Committee for the supervision of Muhammadan Marriage Registrars was constituted by a resolution of the Government of Bengal dated the 31st May, 1884. A copy of paragraph 9 of that resolution which relates to the Permanent Committee, and a copy of the rules for their guidance referred to therein are laid on the table.

(*b*) The objects are stated in the rules which have been laid on the table. Muhammadan gentlemen who were believed to be in a position to advise Government regarding the administration of the Act have been appointed to the Committee.

(*c*) (*i*) Travelling allowance was first paid to Eastern Bengal members in 1908 and to Western Bengal members in 1916. No figures are available for the period before April 1, 1913

(*ii*) Rs. 444."

Rules for the guidance of the Permanent Committee for the supervision of Muhammadan Registrars appointed under Act I (B.C.) of 1876, and of Kazis appointed under Act XII of 1880. (Referred to in the answer by the Hon'ble MR. KERR *to question No. XII asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *at the Council Meeting of the 18th December, 1917.)*

1. The Committee shall consist of five or more members appointed by the Local Government, the appointments being notified in the *Calcutta Gazette*. The Inspector-General of Registration for the time being shall be *ex-officio* President of the Committee. Three members to form a quorum. In case of the death, resignation, or inability (from any cause) to act of any member, the President shall submit a fresh nomination for the consideration of Government.

2. The Committee shall meet at the office of the Inspector-General of Registration on first Tuesday in every alternate month, commencing from January, provided there is business to necessitate its assembling so often. Due notice of the matters to be laid before the Committee shall be circulated beforehand. In case of any urgent business, or upon the requisition of three members, the President shall call a special meeting of the Committee for the consideration of such business.

3. The Committee shall have power to deal with the following matters :—

(*1*) The consideration of all nominations to the post of Muhammadan Registrars, made by the District Registrars under Rule 2 of the rules framed under the Muhammadan Marriage Registration Act, for recommendation to Government.

(*2*) The temporary suspension or removal of Muhammadan Registrars, subject to the submission of a report for the final orders of Government.

(*3*) The consideration of all nominations to the post of Kazi, made by District Registrars, for recommendation to Government.

(*4*) The temporary suspension or removal of Kazis, subject to the submission of a report for the final orders of Government.

4. Subject to the approval of Government, the Committee shall be empowered to arrange for the examination from time to time of all Muhammadan Registrars :—

(*1*) In the Muhammadan law of marriage and divorce.

(*2*) Act I (B.C.) of 1876 and its rules.

Copy of paragraph 9 of Resolution, dated the 31st May, 1884, referred to in the answer by the Hon'ble MR. KERR *to unstarred question No. XII asked by the Hon'ble* MAULVI A. K. FAZL-UL-HAQ *at the Council Meeting of the 18th December, 1917.*

9. Mr. Rivers Thompson also approves of the rules proposed for the guidance of the Permanent Committee for the supervision of Muhammadan Registrars, appointed under Act I (B.C.) of 1876, and of Kazis, appointed under Act XII of 1880.

The Committee proposes that this Permanent Committee should consist of five members, the Inspector-General of Registration for the time being to be *ex officio* President, three members to form a quorum, and the appointments to be gazetted. The Lieutenant-Governor accordingly directs the establishment in Calcutta of a Permanent Committee, which will be composed of the gentlemen named below, if they be willing to serve on the Committee :—

The Inspector-General of Registration—Member and President, *ex officio.*

The Hon'ble Syed Amir Ali.

Nawab Abdul Luteef, C.I.E.

Nawab Mir Muhammad Ali.

Maulvi Abdul Hai, Head Maulvi of the Calcutta Madrassa.

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Muhammadan Marriage Registrars.

XIII. (*a*) How many cases of—

(*i*) appointment;

(*ii*) transfer; and

(*iii*) punishment

of Muhammadan Marriage Registrars have come up before the Permanent Committee since the creation of this Presidency up to the 30th November, 1917?

(*b*) In how many cases were the recommendations of the Committee in agreement with the recommendations of District Registrars, and in how many cases did the Committee overrule the recommendations of District Registrars?

(*c*) Is it a fact that some District Registrars protested against the decisions of the Permanent Committee in some cases?

(*d*) Is it a fact that some District Registrars have approached Government for the abolition of the Permanent Committee?

(*e*) Is it a fact that Government propose to abolish the Permanent Committee at Calcutta?

(*f*) If the answer to clause (*e*) be in the affirmative, will the Government be pleased to state, in detail, the reasons which have led the Government to decide upon the proposed abolition?

(*g*) Was Muhammadan opinion consulted in the matter? If so, will the Government be pleased to state the names of the gentlemen so consulted and also lay on the table their opinions and any other papers relating to the subject?

(*h*) Will the Government be pleased to state what new scheme they propose to adopt as a substitute for the Permanent Committee?

Answer by the Hon'ble MR. KERR :-

"(*a*)—

(*i*) 89.
(*ii*) 36.
(*iii*) 11.

(*b*) The Permanent Committee agreed with the District Registrar in 106 cases and disagreed in 23 cases in the remaining 7 cases District Registrars had made no proposal

(*c*) No such case had been brought to the notice of Government, but it has been ascertained from the Inspector-General that in one case the District Registrar expressed his dissatisfaction with the selection of a candidate made by the Permanent Committee.

(*d*) No.

(*e*), (*f*), (*g*) and (*h*) The Hon'ble Member appears to be under a misapprehension. Government have no intention of abolishing the Permanent Committee, but they have decided that local Muhammadan Committees will be in a better position than the Permanent Committee to advise them on the subject of appointments. Further details as regards this decision will be found in Resolution No. 1410 T.R of the 24th September, 1917, which was published in the *Calcutta Gazette* of the 26th September, 1917."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

XIV. Will the Government be pleased to indicate in what respects economy in public expenditure has been effected in consequence of the war in the various departments of the public service under their control? Econom public expendit

Answer by the Hon'ble MR. DONALD :—

"It is impossible to give a detailed account of the economies effected in public expenditure in consequence of the war, since, as a result of the restriction of expenditure to schemes of imperative urgency, the preparation of new schemes has been largely suspended, while prepared schemes, not of an urgent character, have not been examined with a view to their relative importance and to the provision of funds in the budget It may be said generally that in consequence of the war, Government have curtailed all heavy fresh expenditure which could not be justified by special considerations."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Office of the Registrar of Co-operative Societies.

XV. (*a*) Is it a fact that the office of the Registrar, Co-operative Societies, has been removed from Writers' Buildings?

(*b*) If so, will the Government be pleased to state, in detail, the reasons which led Government to this decision?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*b*) The office of the Registrar, Co-operative Societies, will shortly be removed from Writers' Buildings to No. 6, Dacre's Lane, in order to provide space which is urgently required for the Press in Writers' Buildings."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Inter-departmental consultations by the Registrar of the Co-operative Societies.

XVI. (*a*) Is it necessary for the Registrar, Co-operative Societies, to have inter-departmental consultations with other departments?

(*b*) Who are the officers with whom the Registrar is most likely to have such consultations?

(*c*) In case such officers and the Registrar are located in different buildings, how will such consultations be carried on in future?

(*d*) Will the Government be pleased to state whether such consultations can generally be carried on by correspondence?

Answer by the Hon'ble MR. KERR :—

"(*a*) Yes.

(*b*), (*c*) and (*d*) The Registrar frequently has occasion to consult the Revenue Secretary and the Director of Agriculture; such consultations are generally conducted verbally and not by correspondence; the removal of the Registrar's office to No. 6, Dacre's Lane, will not prevent verbal consultation."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Cost of removal of the office of the Registrar, Co-operative Societies.

XVII. Will the Government be pleased to state the expense that will have to be incurred in removing the office of the Registrar, Co-operative Societies, from Writers' Buildings as—

(*i*) initial expenditure; and
(*ii*) recurring expenditure?

Answer by the Hon'ble MR. KERR :—

"The removal of the Registrar's office will involve some initial expenditure on racks and furniture, the amount of which has not yet been ascertained. As No 6, Dacre's Lane, is the property of Government, there will be no additional recurring expenditure."

By the Hon'ble MAULVI A. K. FAZL-UL-HAQ :—

Proposed local allowances to Government servants on small pay.

XVIII. (*a*) Is it a fact that the bulk of the Government servants drawing comparatively small pay have been put to difficulties on account of the abnormal increase in the prices of the necessaries of life due to the war?

(*b*) Are the Government contemplating remedial measures to afford them some sort of relief?

(*c*) Are the Government aware of any action taken by the Government of Bombay relating to the appointment of a Committee to consider the question of the grant of local allowances, particularly in the case of Government servants drawing less than Rs. 100 per mensem, and of house-rent allowances for menial employees during the period of the war?

(*d*) If the answers to clauses (*a*) and (*c*) are in the affirmative, will the Government be pleased to state—

(*i*) whether they contemplate taking similar action in Bengal, or

(*ii*) whether they propose to meet the situation in some other way?

(*e*) If the answer to clause (*c*) is in the negative, are the Government considering the desirability of obtaining the necessary particulars from the Government of Bombay, with a view to the adoption of a similar measure in Bengal?

Answer by the Hon'ble MR. DONALD:—

"(*a*) All Government servants on fixed pay are suffering from the increase in the prices of the necessaries of life due to the war.

(*b*) and (*d*) No general scheme or enquiry is at present in contemplation.

(*c*) and (*e*) Government understand that such a Committee has been appointed, but have no definite information as to the terms of reference to it. They will take steps to ascertain the precise position."

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR:—

Water-hyacinth in Eastern Bengal.

XIX. (*a*) Has the attention of Government been drawn to the fact that a species of water-hyacinth, commonly called *kachuri* in the vernacular, has been spreading far and wide throughout the eastern districts, fouling water and in many places obstructing navigation?

(*b*) Is it a fact that these plants contain germs of malarial poison, or has any investigation shown that they are in any way injurious to the health of human beings?

(*c*) If so, are the Government considering the desirability of instructing Magistrates, whether as District Officers or as Chairmen of District Boards, to take prompt measures through the thana officers, or the village panchayat, or any other agency available, to remove the obnoxious plants?

Answer by the Hon'ble MR. O'MALLEY:—

"(*a*) and (*c*) The Hon'ble Member is referred to the answer to question No. XXII asked at the Meeting of the Council on the 13th December, 1916.

(*b*) and (*c*). Government are advised that water-hyacinth does not contain germs of malaria poison, but that there is a danger of the plant obstructing waterways and assisting to bring about the silting up of tanks and thus indirectly affecting health conditions. The value of the plant as a manure when reduced to ash has been established and, as explained in a press *communiqué*, dated the 25th June, 1917, of which a copy is laid on the table, 4,000 maunds of ash have been purchased by Messrs. Shaw, Wallace & Co. and 550 maunds by the Government farm at Dacca, the total weight of the plant destroyed being over 17,000 tons. It is hoped that increasing quantities will be destroyed as the knowledge of its commercial value for manurial purposes spreads among the cultivators."

Copy of Press Communiqué *referred to in the answer by the Hon'ble* MR. O'MALLEY *to question No. XIX (unstarred) asked by the Hon'ble* BABU AMBIKA CHARAN MAZUMDAR *at the Council Meeting of the 18th December, 1917.*

Calcutta, the 25th June, 1917.

Press *Communique* by—The Secretary to the Government of Bengal, Revenue Department.

IN a Press *communiqué* issued in April 1916 on the subject of water-hyacinth (*Eichornia crassipes*) it was stated that there was good reason to believe that this weed might, on account of the potash contained in it, prove of considerable value as a manure. It was further stated that field tests would be carried out at Dacca in the season 1916 to test the agricultural value of water-hyacinth.

The results of these tests are now available, and will shortly be published as a Pusa Bulletin* under the joint names of Mr. Finlow, Government Fibre Expert, and Mr. McLean, Deputy Director of Agriculture, Eastern Bengal. They confirm in every way the hopes expressed regarding the value of water-hyacinth as a manure.

* Water-hyacinth : its value as a manure by R. S. Finlow, B. Sc., F. I. E., and K. McLean, B. Sc.

Jute was used at the test crop and the hyacinth was employed in two forms, viz. :—

(*a*) In the rotted state (37 maunds 10 seers=2,98) lbs. per acre).

(*b*) As ash after burning (365 lbs. of ash, containing 26 per cent. potash per acre).

Besides the ordinary check plots a number of other plots were manured with amounts of pure potash salts equivalent to those applied in the hyacinth. The tests showed that hyacinth, either rotted or in the form of ash, is a valuable manure for jute especially on the red soils of the Presidency, where its application may increase the yield of fibre by as much as 6 maunds per acre.

Similar increases in yields from plots manured with potash salts showed that the valuable constituent of hyacinth, as far as jute is concerned, is its potash.

It was found that the ash varies considerably in composition, its potash content having been found as low as 10 per cent., and as high as 34 per cent., the higher figure being obtained from a sample of hyacinth grown in deep water. Owing to the danger of loss of potash from the dried or rotted plant, it will be found more profitable to collect the hyacinth in the dry weather, *i.e.*, from the middle of October till the end of March. Messrs. Shaw, Wallace & Co. of Calcutta have offered to buy any quantity of hyacinth ash at the rate, until further notice, of Rs. 4 per commercial unit of potash delivered in Calcutta; thus the price paid for ash will vary according to the quantity of potash contained, ash containing 10 per cent. of potash fetching Re. 1-7 a maund, and ash containing 30 per cent. of potash fetching Rs. 4-4 per maund delivered in Calcutta. This firm have already purchased over 4,000 maunds of ash at the above rates. This, along with 550 maunds purchased by the Dacca Government farm, means the destruction of over 17,000 tons of the weed. It also means the addition of over 33 tons of potash to the stock of manure in Bengal.

By the Hon'ble BABU AMBIKA CHARAN MAZUMDAR :—

XX. (*a*) Are the Government in possession of any information showing that it is in the contemplation of some of the State prisoners under Bengal Regulation III of 1818 and *détenus* under the Defence of India Act, now in the Alipore Central Jail, to go on hunger-strike owing to alleged hardships in that jail? Hunger-strike by *détenus* in the Alipore Jail.

(*b*) Is it true that some of them have actually refused to take any food since the 1st December current?

(*c*) Are the Government considering the advisability of appointing a few non-official members of this Council to visit the State prisoners and *détenus* now in the Central Jail at Alipore, and, under proper safeguards, to inquire into and report on any complaints they may have to make as regards their treatment in that jail?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*b*) Some of the State prisoners in the Alipore Jail abstained from food on the 30th November. They definitely stated that they had no complaints as to their treatment in jail or as to the food or clothing supplied, but they refused to take their food as a protest against their incarceration.

(*c*) Any complaints that the State prisoners and *détenus* wish to make can be made direct to Government. Government do not consider it desirable to set up a Committee intermediate between themselves and the State prisoners."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR put the following Supplementary question :—

"Are the Government in possession of any information regarding the removal of one of these *détenus* from the Alipore Central Jail to Amraoti, and that he is now in a serious condition on account of his abstention from food. If so, will the Government be pleased to state what steps they are taking in regard to this case?"

The Hon'ble SIR HENRY WHEELER said :—

"I think, Sir, that this is a detail which hardly arises out of the question of the Hon'ble Member. I may, however, tell him that the latest information we have about this man was that he had taken food."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

XXI. Will the Government be pleased to lay on the table a copy of the list of sluices that have been constructed in Schedule D Embankments in the South-Western Circle since 1912, with a full description of such sluices? Sluices in South-Western Circle.

Answer by the Hon'ble MR. COWLEY :—

"A copy of the descriptive list of sluices that have been constructed in Schedule D Embankments in the South-Western Circle since the year 1912 is laid on the table."

Statement referred to in the answer by the Hon'ble MR. COWLEY *to question No. XXI aske by the Hon'ble* RAI MAHENDRA CHANDRA MITRA BAHADUR *at the Council Meeting of t 18th December, 1917, showing the sluices constructed on Schedule D Embankments in th South-Western Circle since 1912.*

Name of sluice.	Position of sluice.	Schedule D Embankment No.	When constructed.	Cost	Number of vents	Size of vents.	REMARKS.
				Rs.			
Jhanpur ...	14th mile of the Damodar Left Embankment (Burdwan).	32	1917	25,421	4	5′ × 6′. Floor level 97·00 M.S.L.	This is a brick masonry sluice 4 vents, each 5′ × 6′ constructed for supplementing t water-supply of the Ede Canal. The vents are provide with draw shutters of ½″ W plates framed, which a worked by screw geared a rangement. The sluice chan nel is provided at the rive face with a masonry stop-da of 7 vents, each 7 feet wi with a floor level at 97. The stop dam vents are ope ated by planks working grooves. The sluice is de only for feeding the canal not for drainage.
Allumpore ...	15th mile of the Hooghly Left Embankment (24-Parganas).	61	1914	47,479	3	5′ × 6′ Floor level – 8·50 M.S.L.	This sluice is for drainage of a area of 13½ square miles com prised within the villages Allumpore, Chandpore, Satg chia, Bansberia, Charkigatt Sonapur, Nandakhali, Domgar Dhancheberia, Hour, Rans Bakhara, Goumandi, Mahad Ramnagar, Jakiberia a Satea. The sluice is masonry and has 3 vent 5′ × 6′ each. Each vent provided with 2 sets of shutters, viz., one wooden draw shutter, worked by screw gear on the country side, a another wooden hinged flap shutter which is self-acting
Goredoho ...	2nd mile of the Peali Left Embankment, village Goredoho (24-Parganas).	88	1913	9,389	1	3′-6″ × 4′. Floor level – 5·00 M.S.L.	This sluice is of brick masonry having one vent, 3′-6″ × 4 litted with 2 sets of shutter viz., one wooden draw shutter on the country side, worked by screw gear, and one W plate framed, hinged self acting shutter on the rive side, which closes when the river level is higher than the level in the inner channe This sluice is for drainage of an area of about 2½ square miles comprised within the villages of Jaikishnagar Audilpore, Sakra and Goredoho in 24-Parganas.

Name of sluice.	Position of sluice.	Schedule D Embankment No.	When constructed.	Cost.	Number of vents.	Size of vents.	REMARKS
				Rs.			
Kola Drainage Sluice.	15th mile of Rupnarayan Right Embankment (district Midnapore).	9	1917	10,843	1	5′ × 5′-6″. Floor level - 4·00 M.S.L.	This is a masonry sluice for drainage of an area of about 25 square miles comprised within the villages of Kola, Barisa, Khabisa, Milnakri, Merura, Basula, Madargachi, Deula, Pansula, Teghory, Kuchrul, Arab, Dashari, Polshit, Kourhat, Parat, Sugurbar, Benadanankar, Gobindachak, Paruliu Khetrahat, Gobardhanpore, Pathar-Dharampur, Chapda, Balkisorpur, Gopal, Ramchandrapur, Kholasihi, Seorabar Purba, Jadupur, Parmanandapur, Koyadangi, Aurachak Jnadauttar, Sangram Basan, Durgama, Jnada Dakhin, Dighbar, Narauchak, Gurchakli, Kalabonisasan, Kristonagar, Asanda, Jagamatipur, Ramnagar, Kerpat, Gopalnagar, Dullara, Machgramdakhin, Ashuttar, Kolar, Dehati, Gopalpur, Mohotpore, Simulhanda, Naranda and Kanakpur The sluice is also used for irrigation, has only one vent, 5′ × 5′-6″, with a floor level of - 4·00. It is provided with 2 sets of shutters, viz., one W.I. plate framed draw shutter on the country side, worked by screw gear, and a second self acting hinged flap shutter of W. I. plate on the river side.
Mohamaya ...	On the Moni river (district 24-Parganas, Sunderbans).	...	1910–17	1,45,407	6	5′ × 6′. Floor level - 4·00 M.S.L.	This is a masonry sluice having 6 vents, 5′ × 6′, with two sets of shutters, viz., one set of W.I. plate framed draw shutters on the country side worked by screw gearing, and a second set of W.I. framed self-acting hinged shutters on the river side. This sluice is for drainage of an area of 37 square miles, which includes the following more important villages among others — Jagadishpur, Gopalpur, Bistopur, Mathurapur, Khari, Kasinagar and Mohamaya. This sluice is not precisely in a Schedule D Embankment.

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Hunger-strike by *détenus* in the Alipore Jail.

XXII. (*a*) Is it a fact that certain *détenus* or other inmates of the Alipore Central Jail have recently gone on a hunger-strike?

(*b*) If so, will the Government be pleased to state the causes thereof, and what steps are being taken in connection therewith?

Answer by the Hon'ble MR. KERR :—

" (*a*) and (*b*) The Hon'ble Member is referred to the answer given to unstarred question No. XX."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

A recent political trial at Dacca.

XXIII. (*a*) With reference to the recent trial of Profulla Ranjan Ray and Satish Chandra Sinha at Dacca, by Special Commissioners under the Defence of India Act, will the Government be pleased to state the reasons for the change of the place of trial from the Sessions Court at Dacca to the new Secretariat Building at Ramna?

(*b*) When was the said change decided upon and by whom? When was the defence pleader informed about it; and when did the trial commence?

(*c*) In affecting the said change did the authorities take into consideration the convenience or inconvenience of the defence?

(*d*) Was any application made by the defence stating the inconvenience it was put to by the said change, and asking for an adjournment to enable it to move Government for cancellation of the orders in this behalf?

(*e*) Is it a fact that the defence were at first refused copies of all papers, including the list of prosecution witnesses, and that an application for the same was rejected by the Special Commissioners?

(*f*) Is it a fact that copies of some papers and the list of witnesses were not given to the defence pleader until he actually wanted to retire from the case?

(*g*) Will the Government be pleased to consider the desirability of engaging pleaders at the expense of the Government for the defence of such persons tried under the Defence of India Act as are unable to meet the expenses of their own defence?

Answer by the Hon'ble MR. KERR :—

" (*a*), (*b*) and (*c*) The place of trial was decided in consultation with Government; the Secretariat Building was selected in order to secure more complete protection of the witnesses.

(*d*), (*e*) and (*f*) Government have no information on these points which refer to the judicial proceedings of the Commission.

(*g*) Government are not prepared to consider this suggestion."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Judgment of Special Commissioners in political trials.

XXIV. (*a*) Is it a fact that in the case of Satish Chandra Sinha who was convicted by a judgment of the majority of the special Commissioners, the non-official Commissioner disagreed with the majority?

(*b*) In how many instances up to date has the non-official Commissioner dissented from the majority of the Special Commissioners?

Answer by the Hon'ble MR. KERR :—

" (*a*) and (*b*) Government have no further information than appears in the judgments themselves. Government have not yet received the judgment in the case of Satish Chandra Sinha."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXV. (*a*) Are the *détenus* permitted to send any representations or complaints direct to the Additional Secretary or other higher officials? Representations by *détenus*.

(*b*) If not, are the Government considering the desirability of permitting such applications to be sent direct to these officials?

(*c*) Has any subordinate official any discretion in the matter of either forwarding or withholding such communications?

(*d*) Are the Government aware of the impression in the public mind that such communications do not sometimes reach their destination?

Answer by the Hon'ble MR. KERR :—

" (*a*) and (*b*) *Détenus* are permitted to send representations or complaints direct to the Additional Secretary subject to the usual censorship over their correspondence.

(*c*) The answer is in the negative.

(*d*) Government are not aware of the existence of such an impression for which there appears to be no foundation "

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXVI. (*a*) What is the lowest rank of police officers authorised to record statements of *détenus*; and at what places and what hour are such statements usually recorded? Recording of statement of *détenus*

(*b*) Is there any rule requiring the presence of higher police officers at the time of recording such statements? If so, of what rank?

(*c*) Are such statements usually recorded during the period of detention of persons under rule 12 A of the Defence of India Rules?

(*d*) Is it a fact that the arrested persons are taken away several times in each case from their place of temporary detention, under rule 12 A to the office of the " S.B." or " I.B." of the Criminal Investigation Department in Calcutta for the purpose of making such statements?

(*e*) Are the Government aware of the general impression in the public mind that these persons are subjected, at the said office, to various kinds of torture unless they make these statements?

Answer by the Hon'ble MR. KERR :—

" (*a*), (*b*) and (*c*) Statements of persons arrested under rule 12 A are recorded by officers of all ranks, from Superintendents to Sub-Inspectors. They are recorded sometimes in the home of the person arrested, sometimes in the jail and sometimes in the Police office There is no rule prescribing the attendance of superior officers, but in fact they are frequently present.

(*d*) Under the authority of Government a person detained in a jail under rule 12 A is sometimes taken to the offices of the Criminal Investigation Department in Calcutta for the purposes of the inquiry

(*e*) Government cannot say whether there is any such general impression; they can only say that there is no foundation for it."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXVII. With reference to the statement made at the last meeting of the Legislative Council that " there is no surveillance over a *détenu* after the order of internment has been cancelled, except that any conditions specially attached to the order of cancellation must be obeyed ", will the Government Surveillance over *détenus*.

be pleased to state what steps, if any, were taken by the authorities to assure themselves that the three conditions on which Sachindra Das Gupta is stated to have been set at liberty were obeyed by him, namely,—

"(*a*) not to associate with any political movement;
(*b*) not to knowingly associate with any suspicious character; and
(*c*) to remain loyal"

(as stated in answer to one of my questions at the last meeting)?

Answer by the Hon'ble MR. KERR :—

"No special steps were taken to ascertain whether Sachindra Das Gupta was carrying out the undertaking he had signed."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Petition of the late Haridas Das.

XXVIII. With reference to the statement made at the last meeting of the Legislative Council that the petition addressed by Haridas on the 8th July was handed over to the Puthia Police on the 9th, and forwarded to the Superintendent of Police, but that it was not put up for orders till the 19th July, will the Government be pleased to make a statement showing, date by date, since the 9th July, as to—

(*i*) when the petition was forwarded by the Puthia Police;
(*ii*) when it reached the office of the Superintendent of Police;
(*iii*) where and how the Superintendent of Police was engaged from the date of the arrival of the petition at his office till the 19th, and
(*iv*) the nature and duration of the illness of the Superintendent of Police, which is stated to have prevented the petition being put up for orders?

Answer by the Hon'ble MR. KERR :—

"Government are not in possession of any further information beyond that already given."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

Petition of the late Haridas Das.

XXIX. (*a*) With reference to the petition addressed by Haridas on the 14th asking for an advance of money, will the Government be pleased to state the reason why it reached Puthia thana on the 17th?

(*b*) Did the Puthia Police take any notice of the statements made therein?

(*c*) What was the reason for the Sub-Inspector of Police and the Head Constable paying visits to Haridas on two consecutive days, namely, the 17th and 18th July?

(*d*) Had the Sub-Inspector of Police or the Head-Constable any talk with Haridas regarding the statements made in his petition, dated the 14th, on either of these two days of their visit? If so, what was its nature?

(*e*) Was it any part of the duty of the Sub-Inspector of Police or any other officer at Puthia to make any inquiry in regard to these statements?

Answer by the Hon'ble MR. KERR :—

"Government are not in possession of any further information beyond that already given."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXX. (*a*) With regard to the statement that Haridas's servant "undertook to cater for Haridas if the Inspector guaranteed payment," and that "this was done," will the Government be pleased to state where and when this arrangement was made, and for what reasons? A deceased detenu's servant.

(*b*) For how long was this arrangement continued, and how much was the servant paid in pursuance thereof?

(*c*) Did the servant refuse to cater for Haridas at any time, and was any representation made orally by Haridas, before the said arrangement was made?

(*d*) What is the name and address of the said servant?

Answer by the Hon'ble MR. KERR :—

"The arrangement was made to meet the possibility of Haridas running out of funds before the grant of an allowance for which he had not applied at the time of his death. The name of the servant was Bonamali Das. Government have no further information on the subject."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXXI. (*a*) With reference to the statement that the remains of Haridas were consigned to the Ganges, will the Government be pleased to state whether it is the usual practice in that part of the country thus to dispose of any unclaimed body after *post-mortem* examination? Disposal of the remains of a deceased detenu.

(*b*) If not, why was this course adopted in this case?

Answer by the Hon'ble MR. KERR :—

"(*a*) The answer is in the affirmative."

By the Hon'ble BABU BHABENDRA CHANDRA RAY :—

XXXII. (*a*) Will the Government be pleased to make a statement giving the name, age, and period of detention undergone, of each inmate of the jails in the Presidency of Bengal, who has been treated, or kept under observation, for mental derangement during the last six months? Treatment of mentally deranged prisoners.

(*b*) In which of these instances were the persons kept in solitary cells, and for what periods were they so kept, previous to such treatment or observation?

(*c*) How and where are each of these persons being treated now?

Answer by the Hon'ble MR. KERR :—

"During the last six months inmates of different jails in the Presidency were under observation for mental derangement for varying periods. Eventually these men have been, or will be, disposed of by the orders passed in their individual cases. The Governor in Council considers that no useful purpose would be served by the supply of the further details asked for, but if the Hon'ble Member desires information regarding any individual case he should refer particulars of it to the Secretariat."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Promotion of members of the Provincial Judicial Service.

XXXIII. (*a*) Will the Government be pleased to state the principle governing the promotion of the members of the Provincial Judicial Service?

(*b*) Will the Government be pleased to state whether the quality or quantity of work is taken into consideration in deciding whether any particular member of the Provincial Judicial Service is efficient or not?

(*c*) Is there any prescribed mode of judging the quality of the work done by the members of the Provincial Judicial Service? If so, what is that mode?

(*d*) Is there any circular issued by the Hon'ble High Court or the Government which insists upon any particular outturn of judicial work by the members of the Provincial Judicial Service?

(*e*) Is it a fact that there is a feeling of competition amongst the said members about the quantity of work done by them and that this has seriously affected the quality of their work?

Answer by the Hon'ble MR. KERR :—

"(*a*) The Hon'ble Member is referred to the answer given to the Hon'ble Mr. Z. R. Zahid Suhrawardy at the meeting of the Bengal Legislative Council on the 13th December, 1916, on the same subject.

(*b*) The quality of an officer's work is the main consideration. As between officers doing work of equal merit, consistent and unexplained deficiency in quantity is an element necessarily taken into account.

(*c*) No.

(*d*) No.

(*e*) Neither the Government nor the High Court can speak as to the feeling of competition. There is no reason to believe that there has been any falling off in the quality of the work done."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Damage of crops by insect pests.

XXXIV. (*a*) Will the Government be pleased to state whether any attempt has been made to ascertain the total value of the crops damaged by insect pests?

(*b*) If so, what is the total loss?

(*c*) What steps, if any, have been taken by the Agricultural Department in regard to these insect pests?

(*d*) Is there any truth in the statement that the Agricultural Department does not possess sufficient knowledge and staff to deal with these pests?

(*e*) Is it also true that the Agricultural Department has so far done nothing in this direction and that the present Divisional Officers of that Department have given no help in any case of outbreak of insect pests?

(*f*) Is it in the contemplation of Government to employ special investigating officers to deal with the whole matter?

Answer by the Hon'ble MR. KERR :—

" (*a*) No.

(*b*) The information is not available.

(*c*) The officers of the Agricultural Department visit the places where insect pests make their appearance, and suggest and demonstrate remedial measures. The expert officers of the department visited 35 localities in 1916-17 in this connection. The Economic Botanist is now engaged in testing the practical value of suggested remedies for insect pests and in investigating plant pests in general, in order to discover effective remedies.

(*d*) The allegation is not correct. The Department of Agriculture, like other scientific departments, does not claim to possess a complete knowledge of the subjects which it is investigating: an increase of staff would facilitate investigation, but an increase of the staff of other branches of the department is considered by Government to be more urgently required

(*e*) It is not true that the Agricultural Department has done nothing with regard to insect pests or that the Divisional Officers have given no help Particulars of the assistance given will be found in the annual report of the department, which will shortly be published.

(*f*) Government employ an Entomological Collector who investigates insect pests."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

XXXV. (*a*) Do the Agricultural Department take an annual survey of the ufra tract with a view to ascertain the progress of the disease—its appearance and re-appearance over certain tracts? Annual survey of ufra tract.

(*b*) Will the Government be pleased to state the way in which the special annual grant of the Government of India, in this connection, is being spent in Bengal?

(*c*) Is any experiment of any description conducted in Tippera and Noakhali?

(*d*) Is there any special officer of the department appointed to look after the disease?

(*e*) If so, where are his headquarters?

(*f*) How long has he been engaged and what has been the result of his investigations?

(*g*) Have the Government considered the desirability of training an Indian either here or in foreign countries, who will make a special study of insects and ufra?

Answer by the Hon'ble MR. KERR :—

" (*a*) A survey of the ufra-infected tract in Dacca district was conducted in 1915-16, and of the tracts in Bakarganj and Faridpur districts in 1916-17. No annual survey takes place, but observations are taken of the spread of the disease and of its relative intensity in different years.

(*b*) The Government of India have made no special annual grant for the treatment of ufra.

(*c*) Yes.

(*d*) The Mycological Collector is principally employed in studying ufra: he works under the supervision of the Imperial Mycologist at Pusa, who is devoting special attention to this disease.

(*e*) The headquarters of the Mycological Collector are at Dacca.

(*f*) The Mycological Collector was appointed eight years ago. For detailed information as regards the present state of investigations the Hon'ble Member is referred to the report which will shortly be published.

(*g*) Government already employ Indian officers who have been trained in Entomology and Mycology on the study of insects and of ufra. It has recently been decided that for the present the entomological and mycological work of Bengal can be suitably controlled from Pusa, with the reservation that a special officer may be required for a time in connection with ufra."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Damage done by ufra in certain districts.

XXXVI. (*a*) Will the Government be pleased to state the total damage done by ufra in the districts of Tippera, Noakhali, and Dacca since 1913?

(*b*) If this information is not readily available, will the Government be pleased to lay the same on the table at a subsequent meeting of the Council?

Answer by the Hon'ble MR. KERR :—

"(*a*) and (*b*) The information is not available, nor are there materials for obtaining it."

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

Agricultural officers in Bengal.

XXXVII. (*a*) Will the Government be pleased to state the names of the officers of the Agricultural Department in Bengal, in the Imperial, Provincial and Subordinate Services, and state their educational attainments, period of their service, the pay of the grade to which they belong and their present salary?

(*b*) To what grades, if any, do the scientific assistants of the experts belong, and what are the names of such officers and their educational attainments?

Answer by the Hon'ble MR. KERR :—

"(*a*) A statement containing the information is laid on the table.

(*b*) The assistants of the expert officers of the Agricultural Department are on a time-scale pay of Rs. 100 rising by annual increments of Rs. 10 to Rs. 250. A statement containing their names and educational attainments is laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. XXXVII(a), (unstarred) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council Meeting of the 18th December, 1917.*

	Name of Officers.	Educational attainments	Period of service	Pay of the grade	Present salary
	IMPERIAL SERVICE				
			YRS	RS	RS
1.	Mr S Milligan	M.A., B.Sc., ...	12	1,500	1,500
2.	,, F. Smith	B.Sc.	12	500 – 50 – 1,000	1,000
3.	,, K. McLean	B.Sc. ..	3	,, ...	460
4.	,, R. S. Finlow ...	B.Sc.	13	500 – 50 – 1,000	1,000
5.	,, H. E. Annett ...	B.Sc.	10	500 – 50 – 1,000	750
6.	,, G. P. Hector ...	M.A., B.Sc.	9	500 – 50 – 1,000	800
	PROVINCIAL SERVICE				
1.	Babu Jatindra Nath Chakrabarty.	B. A. (Cal.) M. S. A. (Cornell, U. S. A.)	9	200 – 400	350
2.	,, Rajeswar Das Gupta, now officiating for K. McLean (No. 3 above.)	Completed Higher Agri. Course at Shibpur	13	200 – 400	250
3.	,, Dwijadas Datta ...	B. Sc. (Cal.), M. S. A. (Cornell, U. S. A.)	4	200 – 400	230
4.	,, Nagendra Nath Gupta	B. A. (Cal.), B. Sc. (Edin.)	4	200 – 400	230
5.	,, Jadu Nath Sarkar ...	M. S. A. (Japan)	3	200 – 400	200
6.	,, Hari Prasad Mitra ..	M. S. A. (Cornell, U. S. A.)	3	200 – 400	200
	SUBORDINATE SERVICE				
1.	Babu Jamini Kumar Biswas, now officiating for R. D. Gupta (No. 2 above).	Diploma in Agriculture, Shibpur	14	100 – 5 – 200	200
2.	,, Hara Kumar Guha ...	Nil	26	100 – 5 – 200	150
3.	,, Bhabatosh Datta ..	Certificate in Agriculture, Shibpur.	16	,,	125
4.	,, Sachindra Krishna Datta	B. Ag. (Poona)	5	,,	115
5.	Mr. P. G. Krishnan ...	Diploma in Agriculture (Madras)	15	,,	105
6.	Babu Satindra Lal Sen Gupta	Trained in the Dacca and Pusa Farms	10	,,	100
7.	,, Benod Lal Mukerji ...	B.Ag. (Poona)	5	,,	100
8.	,, Santi Prasad Sen ...	B.Ag. (Poona)	3	,,	100
9.	,, Debendra Nath Mitra ...	Diploma in Agriculture (Sabour)	3	,,	100
10.	,, Surendra Nath Sen ...	B.Ag. (Nagpur)	3	,,	100
11.	,, Kali Das Roy ...	Certificate in Agriculture (Shibpur)	16	,,	190
12.	,, Tara Nath Roy, appointed as Field Assistant to Mr. Finlow.	Diploma in Agriculture (Shibpur).	10		125
	,, Sujote Nath Chatterji (Offg.)				
13.	,, Chooni Lal Mustafi ...	Certificate in Agriculture (Shibpur).	15	,,	125
14.	Amrita Lal Some ...	Trained in Mycology at Pusa ...	8	5 – 2½ – 100	60
15.	Prafulla Chandra Sen ...	Trained in Entomology at Pusa	11	,,	65

Statement referred to in the answer by the Hon'ble MR. KERR *to question No. XXXVII (b) asked by the Hon'ble* BABU AKHIL CHANDRA DATTA *at the Council Meeting of the 18th December, 1917, showing the names of the Assistants of the Expert Officers of the Agricultural Department and their educational attainments.*

Babu Gosto Bihari Pal, M.Sc. ...	First Laboratory Assistant to Agricultural Chemist.
Babu Indu Bhusan Chatterji, Licentiate in Agriculture (Nagpur).	Second Laboratory Assistant.
Babu Surendra Nath Bose, Holder of diploma in Leather Chemistry (Leeds University).	Third Laboratory Assistant.
Babu Nirmal Chandra Basu, M.Sc. ...	Laboratory Assistant to Fibre Expert.
„ Tara Nath Roy, Diploma in Higher Agriculture, Sibpur.	Field Assistant to Fibre Expert.
Mr. S. G. Saragapani, B. Ag. ...	Laboratory Assistant to Economical Botanist.

By the Hon'ble BABU AKHIL CHANDRA DATTA :—

American trained agricultural students

XXXVIII. (*a*) Did the Government send a number of passed students of the Sibpur Agricultural College to America?

(*b*) If so, are the Government in a position to say how these students are at present engaged?

(*c*) Are they in Government service?

(*d*) If so, in what capacities are they serving the Government?

(*e*) Will the Government be pleased to give a detailed statement of those employed in their service at present in this connection, showing—

(*i*) the grades to which they have been appointed in Bengal,

(*ii*) in what lines they have specialised in foreign countries and whether they are engaged in these lines, and

(*iii*) the nature of the work entrusted to them?

(*f*) Have they got sufficient training to continue the work of the experts when the latter go on leave?

(*g*) If not, are the Government taking steps to educate them up to it?

Answer by the Hon'ble MR. KERR :—

" (*a*) Eight such students were sent to America between 1904 and 1907.

(*b*), (*c*) and (*d*) Most of them are now employed in the Agricultural Departments of Bengal and of Bihar and Orissa.

(*e*) Mr. J. N. Chakrabarty, Mr. D. Datta and Mr. H. P. Mitra are employed as Divisional Superintendents of Agriculture in Bengal on pay of Rs 200—400. Mr. Chakrabarty has specialised in Agronomy and Dairying: Mr. Datta in plant-breeding and Horticulture, and Mr. Mitra in plant-breeding: they are not now employed as specialists.

(*f*) and (*g*) Government have not as yet thought fit to appoint any of these three officers to officiate for officers of the Imperial Service when the latter have been absent on leave: academic qualifications are not the sole tests of fitness: Government do not contemplate taking any steps to improve their academic qualifications."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI:—

XXXIX. (*a*) Is there any truth in the report that Mr. S. Milligan, the present Director of Agriculture, Bengal, is shortly going to vacate his appointment? Rumoured retirement of the Director of Agriculture

(*b*) If so, will the Government be pleased to state the circumstances relating to his change of office?

Answer by the Hon'ble MR. KERR:—

"(*a*) Yes.

(*b*) When Mr. Milligan was appointed to officiate as Director of Agriculture, Bengal, he was allowed to retain a lien on his post of Imperial Agriculturist at Pusa. He desires to revert to his permanent post and he will do so as soon as arrangements have been made for the appointment of his successor."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI:—

XL. (*a*) Are the Government in a position to state the present retail price of salt in the different districts of Bengal? Manufacture and price of salt

(*b*) Will the Government be pleased to state what the approximate cost of manufacture of salt is in Bengal under existing circumstances?

(*c*) Are the Government considering the desirability of directing an inquiry into how far the manufacture of salt in Bengal may tend to reduce the prices in the local salt market?

(*d*) With reference to the memorandum by the Government of Bengal, dated the 5th April, 1917, regarding the manufacture of salt in Bengal, will the Government be pleased to state whether any inquiry has been made as to the suitability of brine obtainable on the Chittagong side of the Bay of Bengal?

(*e*) Are the Government considering the desirability of making an inquiry as to the particular facilities for the manufacture of salt on the Chittagong side?

Answer by the Hon'ble MR. DONALD:—

"(*a*) The Hon'ble Member is referred to the prices current of food grains, salt, etc., for the last half of November 1917, published in the Supplement to the *Calcutta Gazette* of the 12th December, 1917. A statement giving the prices on the 15th December is laid on the table.

(*b*) No calculations have been made as to the cost of manufacture, and no approximate figure can be given.

(*c*) The answer is in the negative. Madras salt is available in large quantities at prices lower than that of imported salt, which is the article ordinarily consumed, but there appears to be little disposition on the part of the public to have recourse to it.

(*d*) The possibilities of manufacture on the Chittagong side of the Bay of Bengal have been brought to the notice of Government. Suitable brine is said to be obtainable at Cox's Bazar and to the south, but a difficulty exists in the lack of easy communications to that area, while labour may not be readily available. It may be added in this connection that Government have ascertained that there is no immediate fear of any shortage of imported salt."

Statement showing the quantity of Salt available per rupee in seers in the different districts of Bengal on the 15th December, 1917.

Division	Districts and Marts	Quantity per rupee in seers SRS.	CH.
	24-Parganas.		
Presidency ...	Chetla Hat	6	6
	Magra Hat	6	6
	Calcutta-Belliaghata	6	6
	Nadia.		
	Goari	8	0
	Ranaghat	8	0
	Murshidabad.		
	Berhampur	6	6
	Kandi	6	6
	Jangipur	6	6
	Jessore		
	Sadar	7	2
	Bangaon	7	2
	Khulna.		
	Sadar	6	8
	Bagerhat	6	0
	Burdwan.		
...	Sadar	6	6
	Kalna	6	6
	Birbhum.		
	Suri	8	0
	Rampur Hat	8	0
	Bankura.		
	Sadar	8	0
	Vishnupur	8	0
	Midnapore.		
	Sadar	5	5
	Contai	5	8
	Hooghly.		
	Sadar	5	0
	Arambagh	5	0

	Districts and Marts	Quantity per rupee in Seers	
		SRS.	CH
	Howrah.		
	Sadar	6	6
	Uluberia	5	5
	Rajshahi		
Rajshahi ...	Rampur-Boalia	7	12
	Nator	7	12
	Dinajpur.		
	Dinajpur	6	6
	Jalpaiguri.		
	Jalpaiguri	6	6
	Darjeeling.		
	Sadar	5	5
	Siliguri	5	5
	Rangpur.		
	Sadar	6	6
	Nilphamari	6	0
	Bogra.		
	Bogra	6	6
	Pabna.		
	Sadar	6	0
	Sirajganj	5	8
	Malda.		
	Sadar	4	0
	Dacca.		
...	Sadar	5	5
	Narayanganj	6	0
	Mymensingh.		
	Nasirabad	6	6
	Netrokona	5	5
	Faridpur.		
	Sadar	5	5
	Goalundo	5	5
	Bakarganj.		
	Barisal	5	5
	Pirojpur	5	5
	Tippera.		
hittagong ...	Comilla	5	5
	Chandpur	6	6
	Noakhali.		
	Sadar	5	5
	Feni Hat	5	5
	Chittagong.		
	Sadar	5	0
	Cox's Bazar	5	0

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Students' fees in Government schools and colleges.

XLI. Will the Government be pleased to make a statement showing for the last ten years, fees of students of schools and colleges under Government control?

Answer by the Hon'ble MR. O'MALLEY :—

"A statement in regard to colleges is laid on the table. Government regret that they are unable to give similar information in regard to schools, as the compilation of the figures would involve an undue amount of labour."

Statement showing for the last 10 years the monthly fees paid by students of Government Colleges.

Name of Colleges.	1908-09	1909-10.	1910-11 to 1915-16.	1916-17	1917-18.
	Rs.	Rs.	Rs	Rs	Rs
Presidency College	12	12	12	12	12
Hooghly "	6	6	6	6	6
Krishnagar "	5	5	5	5	6
Sanskrit "	5	5	5	5	6
Dacca "	6	6	6	6	6
Chittagong "	3	4	4	4	6
Rajshahi "	3	3	4	4	6
Bethune "	3	3	3	3	3
Sibpur Civil Engineering College (Intermediate students)	10	10	10	10	10
Sibpur Civil Engineering College (B. E. students)	10	15	15	15	15
Medical College	96 per annum	96 per annum.	96 per annum	125 per annum	125 per annum

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Ground nut industry in Bengal.

XLII. (*a*) Are the Government in a position to give any information regarding the prospects of the ground-nut industry in Bengal?

(*b*) Are the Government aware of any experiment made in ground-nut cultivation in Bengal?

(*c*) If so, what are the results?

Answer by the Hon'ble MR. KERR :—

"(*a*) Yes.

(*b*) The crop has been under experimental observation in Bengal for some years by the Agricultural Department.

(*c*) The cultivation of ground-nuts has met with some success in the districts of Birbhum and Bankura and the area shows a tendency to expand. The chief difficulty lies in harvesting the nuts, which have to be dug out of the ground. The crop is suitable for high lands and is capable of yielding up to 20 maunds per acre of unhulled nuts. The ground-nut crop in some parts of India has been subject to serious disease which has been partly met by the growing of disease-resisting varieties. Up to date no serious outbreak has been reported in Bengal. Until disease has, however, made its appearance and been successfully combated, or until further evidence has been adduced to indicate that the crop in Bengal may be considered reasonably safe from the more virulent diseases, it would be premature to assume that the industry will ultimately prove an economic success in the Presidency."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XLIII. (*a*) Is it a fact that the *Calcutta Gazette* is supplied free of cost to certain newspapers, while the free supply is denied to others? Supply of the *Calcutta Gazette*

(*b*) On what principle is such distinction made?

(*c*) Will the Government be pleased to make a statement giving the names of newspapers that receive the free supply of the *Calcutta Gazette*?

Answer by the Hon'ble MR. DONALD :

"(*a*) Yes.

(*b*) No definite principle has been laid down. As a general rule each paper is considered on its merits and with reference to its circulation. Recent applications for the free supply of the *Gazette* have been refused owing to the shortage of paper.

(*c*) A statement giving the names of the papers which are supplied with the *Gazette*, free of cost, is laid on the table. The question of the revision of the list is under consideration."

Statement giving the names of the newspapers which are supplied with the Calcutta Gazette *free of cost.*

Names	Address
(1) "Calcutta Weekly Notes"	Calcutta
(2) "Capital"	Do
(3) "Bangabasi"	Do.
(4) "Hitavadi"	Do
(5) "Sanjibani"	Do
(6) "Indian and Eastern Engineer"	Do
(7) "Indian Mirror"	Do.
(8) "Indian Medical Gazette"	Do
(9) "Amrita Bazar Patrika"	Do.
(10) "Musalman"	Do
(11) "Bengalee"	Do
(12) "Indian Planters' Gazette"	Do
(13) "Moslem Hitaishi"	Do
(14) "Bharat Mitra"	Do.
(15) "Hindoo Patriot"	Do.
(16) "Pioneer"	Allahabad.
(17) "Herald"	Dacca
(18) "Siksha Samachar"	Do

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

XLIV. (*a*) Is it a fact that in October last a representation was made to His Excellency the Governor over the signatures of Sir K. G. Gupta, Mr. S. C. Mukerjee, I.C.S., and other members of the Darjeeling Brahmo Samaj praying for the removal of the fish market from the immediate vicinity of the Darjeeling Brahmo Church? Brahmo Samaj Church in Darjeeling.

(*b*) Is it also a fact that a similar petition was submitted to the Commissioner of the Rajshahi Division?

(*c*) Is it a fact that while no action has, up till now, been taken on the said petition, a masonry receptacle for depositing the refuse of the stalls, just in front of the ladies' entrance to the Church, is actually under construction?

(*d*) Are the Government aware that as a result of the above action of the Darjeeling Municipality, the local Brahmos have been obliged to discontinue holding their prayers in the Brahmo Church for nearly three months?

Answer by the Hon'ble MR O'MALLEY :—

" (*a*) Yes.

(*b*) Yes.

(*c*) It is not a fact that no action has been taken on the petition. Instructions have been issued to the Commissioner of the Rajshahi Division in Municipal Department letter No. 2143 M., dated the 29th November, 1917, of which a copy is laid on the table. Government has no information as to the construction of a masonry receptacle.

(*d*) It is understood that the services at the Brahmo Church have been discontinued."

Copy of Municipal Department letter No. 2143M., dated the 29th November, 1917, to the Commissioner of the Rajshahi Division.

WITH reference to the correspondence ending with your memorandum No. $\frac{6190\text{-G}}{\text{XLVII-41}}$, dated the 31st July 1917, I am directed to forward, in original, for favour of disposal by you in consultation with the Deputy Commissioner, Darjeeling, the enclosed memorial from Sir K. G. Gupta and others, protesting against the use of the new structure on the east of Brahmo Mandir in the Darjeeling Bazar for the purposes of a fish market.

2. It appears that the fish market is a source of nuisance to the members of the Brahmo Samaj attending the Mandir and that in consequence of it Sunday services have had to be stopped. I am therefore to suggest that steps may be taken to bring about some means of relief by negotiations between the Samaj authorities and the Municipality, and in the last resort only by action under section 63 of the Bengal Municipal Act.

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Civil suits in Tangail.

XLV. (*a*) Will the Government be pleased to make a statement showing the number of—

(*i*) rent suits;
(*ii*) title suits; and
(*iii*) money suits

that were instituted and disposed of in each of the last five years by each of the Munsiffs in Tangail?

(*b*) What was the total number of working days of the Munsiffs during each of the last five years?

(*c*) Is it a fact that at present only one Munsiff is working at Tangail in place of three?

(*d*) If so, is this reduction proportionate to a corresponding falling off in the number of cases instituted?

(*e*) Are the Government aware of any expressed grievance against the way the work is managed by the present Munsiff at Tangail?

Answer by the Hon'ble MR. KERR :—

" (*a*) and (*b*) Statements furnishing the information are laid on the table.

(*c*) Yes.

(*d*) Since 1914 there has been a large falling off in title suits, which has permitted of the temporary deputation of one Munsiff to Netrakona and one to Jamalpur.

(*e*) No."

Statement A.

YEAR.		Total institutions of rent, title and money suits. (Separate classification not available.)		Disposed of— Rent suits.	Title suits.	Money suits.
		Tangail 1st Court.		Rs.	Rs.	Rs.
1912	...	Original	1697	398	138	605
		Small Cause Court ...	1302	...	...	1,115
1913	...	Original	1599	281	416	352
		Small Cause Court ...	1727	...	...	1,977
1914	...	Original	1590	388	358	326
		Small Cause Court ...	1143	...	...	1,347
1915	...	Original	1003	498	320	340
		Small Cause Court ...	1011	...	...	983
1916	...	Original	1548	930	341	515
		Small Cause Court ...	1279	...	...	1,221
		Tangail 2nd Court.				
1912	...	Original	1580	355	416	479
		Small Cause Court ...	1927	...	...	1,965
1913	...	Original	1541	212	507	321
		Small Cause Court ...	1259	..	...	1,231
1914	..	Original	1377	373	353	355
		Small Cause Court ...	1221	...	...	1,240
1915	...	Original	807	402	284	309
		Small Cause Court ...	1360	...	...	1,225
1916	...	Original	1328	926	342	614
		Small Cause Court ...	1799	...	...	2,015
		Tangail 3rd Court.				
1912	...	Original	...	24	19	53
1913	...	Ditto	...	263	356	617
1914	...	Ditto	409	365	237	507
1915	..	Ditto	1207	497	374	500
1916	...	Ditto	1128	222	185	308

Statement B.

Year			Number of working days.
1912	...	...	223
1913	...	...	224
1914	...	...	221
1915	...	...	221
1916	...	...	222

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Looting of salt and cloth from markets and hâts.

XLVI. Will the Government be pleased to make a statement showing the number of loots of salt and cloth in the markets and *hâts* of the different districts of the Presidency during the last three months?

Answer by the Hon'ble MR. DONALD :—

"The following statement gives the number of looting cases reported up to the morning of the 17th December :—

Bakarganj	...	...	...	4
Bogra	...	...	...	4
Dacca	...	...	...	3
Dinajpur	...	...	...	3
Faridpur	...	...	...	2
Jessore	...	...	...	5
Mymensingh	...	...	...	3
Noakhali	...	...	...	13
Pabna	...	...	...	2
Rajshahi	...	...	...	1
Rangpur	...	...	...	14
Tippera	...	...	...	1
		Total	...	55

It will be seen that the figures are largest in the Noakhali and Rangpur districts, and in both of these special preventive measures are being taken."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Inspection of the Dacca School of Engineering.

XLVII. Is it a fact that the Principal, Dacca College, under whose supervision the Dacca School of Engineering has been placed, has not been able to make any official or unofficial inspection of the school up till now?

Answer by the Hon'ble MR. O'MALLEY :—

"The Principal of the Dacca College is also the Principal of the Dacca School of Engineering, and as such does not inspect it in any formal way. He visits the institution frequently and is in constant communication and consultation with the Head Master regarding business matters and the general control and efficiency of the school."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

XLVIII. (*a*) Is it a fact that, unlike other institutions of its kind, *e.g.*, the Calcutta Commercial Institution, the Dacca School of Engineering has got no definite status of its own? Status of the Dacca School of Engineering.

(*b*) Is it a fact that in some respects it is treated as a college and in other respects as a school?

(*c*) Is it a fact that many of the theoretical subjects taught in the Dacca School of Engineering are on a par with those of the B Sc course of the Calcutta University.

(*d*) Is it a fact that the subjects taught in the Dacca School of Engineering are much higher than those prescribed for secondary education?

(*e*) Is it a fact that in the Calcutta Commercial Institution which has got the status of a college, the admission test is much lower than that prescribed for the Dacca School of Engineering?

Answer by the Hon'ble MR. O'MALLEY:—

"(*a*) The Hon'ble Member is referred to the reply to the next clause of his question.

(*b*) Yes.

(*c*) Government are advised that the standard up to which the theoretical subjects are generally taught is not so high as that of the B Sc course

(*d*) Yes.

(*e*) Candidates who have passed the Matriculation Examination or any other examination held to be equivalent to it are eligible for admission to the day course of the Government Commercial Institute, Calcutta. Candidates who have attended the lectures in the day course are eligible for admission to the evening course. Others are admitted, both to the day course and to the evening course, if they satisfy the Education Department, by passing a preliminary test examination, that they have sufficient general education to enable them to derive advantage from the lectures.

Candidates for admission to the Dacca School of Engineering must have passed either—

(1) the Matriculation Examination of an Indian University or Standard VII of the Code for European Schools, or

(2) the B Final Examination, or

(3) the Sub-Overseer Examination from any affiliated technical school."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI:—

XLIX. (*a*) Is it a fact that the teachers of the Calcutta Commercial Institution are designated as Lecturers and are beyond the operations of Circular No. $\frac{5A}{7P-25-16}$, dated Calcutta, the 9th January, 1917, of the Director of Public Instruction, Bengal? Teachers of the Dacca School of Engineering.

(*b*) Are the Government aware that on account of the provisions of the circular referred to in clause (*a*), the graduate teachers of the Dacca School of Engineering, who have reached or are on the point of reaching the highest grade fixed, feel that their future prospects have been ruined as they have no chance of securing the Assistant Head Mastership of this Institution or the Head Mastership of any High School under the Government?

(*c*) Is it a fact that the Head Master of the above school is in the Indian Educational Service, while the Assistant Head Master, a B.A., B.E., is still in the Subordinate Service?

(*d*) Is it true that the Assistant Head Master is not given the allowance which is granted to Assistant Head Masters of Government High Schools?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) Teachers of the Calcutta Commerical Institute are designated Lecturers. Circular No. $\frac{114}{7P-50A-17}$, dated the 11th May, 1917, to which the Hon'ble Member presumably refers, does not apply to them.

(*b*) Government are not aware of such a feeling. The orders regarding promotion to different classes of the Subordinate Educational Service, which were issued with the circular above referred to, provide that officers holding lower posts can be transferred to higher posts provided they are competent to fill them.

(*c*) Yes.

(*d*) Yes."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Technical Examination Board and the Dacca School of Engineering.

L. (*a*) Will the Government be pleased to state whether the Inspector of the Joint Technical Examination Board has inspected the Dacca School of Engineering within the last five years?

(*b*) If so, will the Government be pleased to publish his recommendations?

(*c*) What effect has been given to those recommendations, if any?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) There is no post of Inspector of the Joint Technical Examination Board: that body deputes one or more officers to inspect technical institutions on its behalf. An inspection of the Dacca School of Engineering was made in February, 1915, by Mr. C. P. Walsh, then Superintending Engineer, Eastern Circle, and Mr. B. Heaton, Principal, Civil Engineering College, Sibpur. An inspection of the electrical and mechanical branch of the school was made in December, 1914, by Mr. W. H. Everett, Offg. Superintendent of Industries and Inspector of Technical Institutions, and Mr. A. K. Taylor, Electrical Engineer in charge of the Calcutta Electrical Division of the Public Works Department.

(*b*) An extract from the inspection note of Mr. Walsh and Mr. Heaton is laid on the table, together with an extract from the inspection note of Mr. Everett and Mr. Taylor.

(*c*) Sanction was given to the affiliation of the school to the full upper subordinate standard of the Board in civil engineering for five years from 1915-16, and in mechanical and electrical engineering from 1913-14 to 1915-16. Subsequently orders were passed that the teaching of the mechanical and electrical branch of the overseer course should be discontinued with effect from the 1st April, 1916."

Extract from a note on an inspection of the Dacca School of Engineering made by Messrs. C. P. Walsh, Superintending Engineer, Eastern Circle, and B. Heaton, Principal, Civil Engineering College, Sibpur, on behalf of the Joint Technical Examination Board, on Monday and Tuesday, 8th and 9th February, 1915.

WE recommend that the Government of Bengal may grant affiliation to the Dacca School of Engineering up to the full standard of the Board in Civil Engineering for a period of five years from the date of expiry of the last order. That the attention of Government be drawn to the following proposals :—

(1) To separate the school from the Dacca College and to style the Head Master "Principal".

(2) To constitute a governing body with functions similar to that of the Sibpur College.

(3) To fix for three years a consolidated grant for contingencies and for the repairs of the workshop buildings and to entrust its administration to the governing body.

(4) To the suggested strengthening and re-arrangement of the teaching staff.

(5) To the case of the Head Clerk.

(6) To the reduction of the numbers of reduced freeships at Sibpur and to the creation of four stipends yearly of Rs. 10, to enable poor students to attend the Dacca School of Engineering.

(7) To the granting of travelling allowance to the staff and students, so as to enable instructions in practical surveying to be carried out under canvas in a suitable locality.

(8) To the provision of furniture for the Science class-rooms, drawing boards and cement testing machines.

(9) To minor items of equipment required for the workshops.

Extract from a note on an inspection of the Electrical and Mechanical Branch, Dacca School of Engineering, made by Messrs. W. H. Everett and A. K. Taylor, on the 9th and 10th December, 1914.

As matters now stand we recommend : (1) that the present mechanical and electrical course at Dacca be terminated as soon as this can be done—the present third year students (four only in number) being accommodated at Sibpur ; (2) that the electrical laboratory be abolished and the staff transferred to Sibpur, where we understand extra help is required to cope with the rapidly increasing numbers in this branch. The Mechanics' laboratory should remain, as this will still be required for students of the ordinary Civil Engineering course. The school may be recommended for temporary affiliation in this branch for the overseer examination of 1915.

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

LI. (*a*) Will the Government be pleased to state what are the exact duties and functions of Mr Everett, Secretary to the Joint Technical Examination Board? Secretary to the Joint Technical Examination Board.

(*b*) What pay and allowance does he receive?

(*c*) Will the Government be pleased to make a statement showing the number of inspections that he made of the different institutions under his control during 1914-15 and 1916-17?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) Mr. Everett is Officiating Superintendent of Industries and Inspector of Technical and Industrial Institutions for Bengal as well as Secretary to the Joint Technical Examination Board. His chief duties are to inspect technical institutions, to advise the Director of Public Instruction on technical and industrial education and to keep in touch with the industrial development of the Presidency. As Secretary to the Joint Technical Examination Board, he attends the Board's meeting and records the proceedings, conducts their correspondence and discharges other secretariat duties, such as arranging for the Overseer and Sub-Overseer examinations, notifying the results and issuing certificates to successful candidates.

(*b*) The Hon'ble Member is referred to pages 280 and 281 of the Quarterly Civil List for Bengal corrected up to 1st April, 1917.

(*c*) The information is not available."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Commencement of Apprentice Department Session in Sibpur College.

LII. (*a*) Is it true that the Government have permitted the Sibpur College authorities to commence the session of the Apprentice Department in November every year?

(*b*) Are the Government aware that only Matriculates are allowed to be admitted in the Apprentice Department and that the result of the Matriculation Examination is usually published in June?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) Yes. The date was changed to November, because candidates delay submitting applications for admission until after the Matriculation Examination results are published, with the result that the first year class cannot be formed till July and the work cannot be got into full swing before the vacation, which starts in August and lasts till November.

(*b*) Most of the Indian candidates admitted into the College are Matriculates. The Matriculation results are usually published in June."

By the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI :—

Sibpur College and the Dacca School of Engineering.

LIII. Are the Government aware that in the Sibpur Civil Engineering College, Apprentice Department, 5th year boys and artisans are given stipends on much higher scales than those granted to 5th year boys and artisans of the Dacca School of Engineering?

Answer by the Hon'ble MR. O'MALLEY :—

"Yes."

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

Grievances of certain Bethune College students.

LIV. (*a*) Is it a fact that certain students of the Bethune College, who passed the Matriculation Examination this year, and were admitted on the date of the re-opening of the College, viz., on the 26th November, are being required to pay board and lodging charges for the months of August, September and October and 25 days in November?

(*b*) If so, are the Government considering the desirability of directing the said authorities to cancel the rule under which this order was made, and to refund the money already realised?

Answer by the Hon'ble MR. O'MALLEY :—

"(*a*) An annual hostel fee is charged to students residing in the College hostel: it is payable in 12 monthly instalments of Rs 11 each This year it has been decided to meet the situation due to the late date of publication of the Matriculation results by charging—

(*i*) a maintenance fee of Rs. 2 for each of the months August, September and October, and

(*ii*) Rs. 11 monthly for the rest of the year

August is, by order of the University authorities, regarded as the commencement of the current academical year for first year students

(*b*) No money has yet been realised, except for the month of November The amounts already paid will not be refunded"

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

LV. Will the Government be pleased to lay on the table a statement showing the names of all firms and persons against whom action has been taken under the Calcutta Municipal (Amendment) Act, 1917, since that Act came into force, giving their addresses and the punishment inflicted on them for the adulteration of *ghee*? Prosecutions for *ghee* adulteration under Ben Act I of 1917

Answer by the Hon'ble MR. O'MALLEY :—

"A statement is laid on the table"

Names and addresses of persons and firms against whom action has been taken from the 13th September, 1917 (the date of the passing of the Calcutta Municipal Amendment Act, 1917) up to the 30th November, 1917, and the punishment inflicted.

Name of firm or person.	Address of place of business	Action taken and result
Prosecutions under section 495A for the selling, storing for sale, etc., of adulterated ghee.		
Wholesale dealers.		
Jit Sing and Nilambar Pandit	111, Cotton Street ...	Prosecuted; case pending in court.
Rash Behary Katuri and Kunja Behary Das	90, Burtolla Street and 13, Doyahatta Street.	Prosecuted; four cases pending in court.
Golap Lall and Sohan Lall of firm of Lachmi Pat Jain Baburam ...	21, Burtolla Street ...	Prosecuted: fined Rs. 300.
Pramatha Pal of firm of Mahananda Datta ...	65, Strand Road ...	Fined Rs. 200.

Name of firm or person.	Address of place of business	Action taken and result.
Wholesale dealers.		
Nandalal Karuri ...	107, Darmahatta Street	Prosecuted; two cases pending in court.
G. V. Ratnam ...	103, ditto ...	Prosecuted; four cases pending in court.
Arjundas Daulatram ...	153-1, Cotton Street ...	Prosecuted; case pending in court.
Bisoonath Sreemany ...	1, Meerbahar Ghat Street.	Ditto ditto.
Retail vendors.		
Brajo Gopal Moitra ...	104, Upper Circular Road.	Ditto ditto.
N. C. Biswas ...	215, Cornwallis Street	Ditto ditto.
Nilkamal Pal ...	207-1, ditto ...	Ditto ditto.
Ratan Ch. Sadhukhan	1, Nandan Bagan Street	Ditto ditto.
Gosto Behari Sadhukhan	112, Grey Street ...	Ditto ditto.
Surendra Nath Sadhukhan.	84-1, ditto ...	Ditto ditto.
Kangali Charan Bakali	13, Halsibagan Road ...	Ditto ditto.
Surendra Nath Dey ...	365, Upper Chitpur Road.	Ditto ditto.
Atul K. Bhattacharjea	8-1, Ram Kumar Rakhit Lane.	Ditto ditto.
Sreekissen Jatemall ...	53, Cotton Street ...	Ditto ditto.
Surendra Nath Kundu	28, Raja's Chowk (godown), and 58, Clive Street (shop).	Prosecuted; two cases pending in court.
Surya Kumar Pramanick	53, Harrison Road ...	Three prosecutions were instituted, but the cases were struck off as the accused closed his shop and absconded
Sukumar Das Gupta ...	College Street Market	Prosecuted; case pending in court.
Abhay Pado Dey and others.	58-1, Wellington Street	Ditto ditto.
Bala Bakash ...	40, Wellesley Street ...	Ditto ditto.
Tara Chand Ghosh ...	17, Convent Lane ...	Ditto ditto.
Budusha	Kali Bazar, Kidderpore	Fined Rs. 99.
Ram Kristo Sadhukhan	Ditto ditto ...	Prosecuted; case pending in court.
Anantha Kumar Mythi	Ditto ditto ...	Ditto ditto.
Narayan Shaw ...	Babu Bazar, Kidderpore.	Ditto ditto.
Satish Ch. Kumar ...	Kalighat Market ...	Ditto ditto.
Uma Charan Biswas ...	133-1, Kalighat Road	Prosecuted; two cases pending in court.

Prosecutions under section 495B for keeping adulterants in ghee shops and godowns.

Surendra Nath Kundu ...	28, Raja's Chowk ...	Prosecuted for keeping 50 tins of ground-nut oil; case pending in court.

Seizure and destruction of adulterated ghee.

Name of firm or person	Address of place of business	Action taken and result
Abinash Ch. Kundu ...	39, Beadon Row ...	Small quantities aggregating 14 seers were destroyed at these places.
Gauri Sankar ...	125, Upper Chitpur Road.	
Surendra Nath Sadhukhan.	84-1, Grey Street ...	
Harish Chandra Nandy	295, Upper Circular Road.	
Rajani Kanto Sett ...	113-1, Manicktolla Street.	
Surendra Nath Kundu ...	28, Raja's Chowk (godown) and 58, Clive Street.	Three and a half maunds were destroyed.
Baktar Mull Modi ...	26, Cotton Street ...	894 tins (i.e., 150 maunds) were seized and the Magistrate has ordered their destruction
Tara Chand Ghosh ...	17, Convent Road .	35 seers were destroyed

Prosecution under section 507 for refusing to sell samples.

Chunilal Ghosh ...	22, Darmahatta Street	Prosecuted; case pending in court

By the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR :—

LVI. Will the Government be pleased to lay on the table a statement showing the amount actually realised on account of road and public works cesses from the districts of Hooghly (figures for Howrah may be given separately, if possible), Bankura, Midnapore, Birbhum and Burdwan during the last five years? Road and public works cesses in certain districts.

Answer by the Hon'ble MR. O'MALLEY :—

"A statement is laid on the table."

*Statement showing the amounts actually realised on account of road and public works cesses in the Burdwan Division during the last five years.**

Districts.	1913-14.	1914-15.	1915-16.	1916-17.
	Rs.	Rs.	Rs.	Rs.
Burdwan	4,07,530	5,31,374	5,26,681	6,24,326
Birbhum	1,65,199	1,57,134	1,64,718	1,53,717
Bankura	1,12,284	1,16,228	1,03,658	1,10,273
Midnapore	4,07,322	4,12,409	4,05,255	4,10,805
Hooghly	2,22,188	2,16,042	2,14,828	2,14,652
Howrah	1,11,094	1,08,021	1,00,541	1,05,726

* *N.B.*—These figures include interest on arrear cesses.

LIST OF BUSINESS—ITEM No. 2.

THE BENGAL TENANCY (AMENDMENT) BILL, 1917.

The Hon'ble MR. CUMMING moved that the Report of the Select Committee on the Bengal Tenancy (Amendment) Bill, 1917, be taken into consideration.

The motion was put and agreed to.

The Hon'ble MR. CUMMING said :—

"With your permission, Sir, I wish to make a further formal motion at this stage, *namely*, that the clauses be now considered for settlement in the form recommended by the Select Committee."

The PRESIDENT said :—

"May I explain to Hon'ble Members that this is purely formal and necessary motion? The Bill has been altered in the Select Committee and we now desire to take into consideration the Bill as amended by the Select Committee."

The motion was put and agreed to.

The PRESIDENT said :—

"There will be some small alterations in the order in which the amendments are taken. Some of the amendments are not strictly in their correct order. The first amendment that will be taken up is the amendment proposed by the Hon'ble Babu Kishori Mohan Chaudhuri to omit the word 'Hadis' in section 49A. That will be taken up first."

AMENDMENTS TO THE BILL.

(Amendment No. II (*i*).)

The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved that the word "Hadis" in line 10 of sub-section (*2*) of section 49A be omitted.

He said :—

"My Lord, I think that the word 'Hadis' should be omitted: whether they are taken as 'Hadis' or 'Haris', practically so far as Bengal is concerned they are naturalised. There are in Eastern Bengal persons who are called 'Hadis' practically carrying on the same profession as 'Haris' in Northern and Western Bengal too. In that case they should not be taken as aboriginals. I therefore propose that the word 'Hadis' should be omitted."

The Hon'ble MR. CUMMING said :—

"Sir, my opinion is that the Hon'ble Member seems to be under a misapprehension. I think he is referring to certain 'Hadis' in Northern Bengal, but as explained in the letter of the Director of Land Records which is included in the opinions which are before the Council, it was stated that these 'Hadis' are of Garo origin in Eastern Bengal; and it is to them that the Bill is intended to refer."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, of course my information is that in Eastern Bengal there is another class of persons who are called 'Hadis' who might be of Garo

origin, but they are of long antiquity. My information is evidently not correct I thought that 'Hadis,' or 'Haris', as they are called in Eastern Bengal, were meant.

In that case I beg to withdraw my amendment."

The motion was then, by leave of the President, withdrawn.

(Amendment No. II (*II*).)

The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved that the word "Kochs" in line 11 of sub-section (2) of section 49A, be omitted.

He said :—

"My Lord, Kochs in Bengal are naturalised, and I understand that the Hon'ble Mr. Cumming is also of the opinion that the Kochs should be included with certain restrictions; some insertion should be made so that it may be restricted to the Dacca Division only, and refer only to persons who are of Garo origin. My idea is that there may be some difficulty even in Eastern Bengal. I think it should be omitted altogether. If there are in Eastern Bengal—and I am not aware of it—some who are recent settlers there coming from the Garo tract, some restrictions may be made. So far as I know Kochs exist in different parts of Bengal; they came here long ago, even if they are aboriginals. If the Kochs are included then the Rajbansis should be also included, because there is no very great distinction between the Kochs and the Rajbansis. I think the 'Kochs' should be omitted altogether."

The Hon'ble MR. CUMMING said :—

"Sir, in view of the Hon'ble Member's amendment that the word 'Kochs' should be omitted, I propose to make an amendment which, I think, would meet his wishes, *namely*, that the term should refer only to those of that tribe who are in Eastern Bengal. Eastern Bengal officers have themselves recommended that the Kochs of that area should be included, and I think that the Hon'ble Member's idea was primarily obtained from the report of Mr. McAlpin who at first said that he thought that the Kochs were too advanced to be classed as aborigines, but who subsequently informed me that the Kochs of Eastern Bengal should be included. I therefore object to the omission of the word 'Kochs' altogether."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"If the Members coming from Eastern Bengal have no objection, I have no objection to accepting the amendment proposed, but I think that only the Dacca Division should be included. With that restriction my motion may be accepted."

The PRESIDENT said :—

"The Hon'ble Member in charge of the Bill proposes to move that amendment if the Hon'ble Member will withdraw his own."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"In that case, I withdraw my amendment."

The motion was then, by leave of the President, withdrawn.

(Amendment No. III.)

The following motion was also held to be withdrawn :—

The Hon'ble Kumar Shib Shekhareswar Ray to move that the word "Kochs" in line 11 of sub-section (2) of section 49A be omitted.

(Amendment No. I (*I*).)

The Hon'ble MR. CUMMING moved that after the word "Koehs" in line 11 of sub-section (2) of section 49A, the brackets and words "(Dacca Division)" be inserted.

He said :—

"Sir, for the reasons which I have already given, I propose to move the amendment."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"My Lord, it seems to me that both the words 'Bakarganj District' after the words 'Maghs' and the words 'Dacca Division' after the words 'Koehs' are unnecessary, and ought not to be there for the simple reason that we need not specify territories where those people may be. The Maghs in Bakarganj may remove to the neighbouring districts of Faridpur, and if they do so, there is no reason why they should not enjoy the protection which has been granted to Maghs in Bakarganj. I do not know why they should be at a disadvantage when they remove to any other place. Consequently the territorial distinction ought not to be there; wherever they may be they should have the rights and privileges conferred by the proposed legislation. As far as the words 'Dacca Division' are concerned, I know that there are no Koehs in the districts of Faridpur and Barisal, but I do not know whether they may not be found in Mymensingh and Dacca. However, in the view I have expressed, I hope that both the words 'Bakarganj' and 'Dacca Division' will be removed so that these privileges may be enjoyed by these specified tribes wherever they may be."

The motion was put and agreed to.

(Amendment No. I (*II*).)

The Hon'ble MR. CUMMING moved that for the word "Bakarganj" in line 12 of sub-section (2) of section 49A, the words "Bakarganj District" be substituted.

He said :—

"Sir, this is purely formal and would be in harmony with the addition which has already been made regarding the Koehs."

The motion was put and agreed to.

(Amendment No. I (*III*).)

The Hon'ble MR. CUMMING moved that the words "and allied castes or tribes" in lines 13 and 14 of sub-section (2) of section 49A be omitted.

He said :—

"Sir, the Hon'ble Babu Kishori Mohan Chaudhuri has a similar motion. Objection has been made, and I think, with some reason, that as we have tried to meet the opinions which have been given, by inserting a definite statement in the Bill of those whom Government hold to be aboriginals, we should not go back and insert an indefinite phrase like 'allied castes and tribes.' I am, therefore, prepared to withdraw that part of the clause from the Bill."

The motion was put and agreed to.

The President; Rai Debender Chunder Ghose Bahadur; Babu Ambika Charan Mazumdar; Mr. Cumming.

(Amendment No. II (*III*).)

The following motion was then held to be withdrawn —

The Hon'ble Babu Kishori Mohan Chaudhuri to move that the words "allied castes or tribes" in lines 13 and 14 of sub-section (2) of section 49A be omitted.

(Amendments Nos. IV and V.)

The PRESIDENT said :—

"Amendments marked 4 and 5, proposed section 49E, deal with the same point. The Hon'ble Member whose name stands first on the agenda paper will move his amendment first."

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR moved that for the words "under his own cultivation" in line 5 of section 49E, the words "in his possession" be substituted.

He said :—

"My Lord, in section 49E, line 5, we have the words 'under his own cultivation' with reference to the aboriginal tenure-holder, raiyat or under tenure-holder who does not necessarily cultivate his own land, and if you are to give the power to mortgage property to him, an aboriginal tenant, then by using the words 'under his own cultivation' you restrict his right to mortgage. I do not think that this was the intention of the framers of the Bill, and I believe that it was an oversight, and I therefore suggest that in line 5, the words 'in his possession' be substituted for the words 'under his own cultivation.' This includes direct as well as indirect possession."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved that for the words "under his own cultivation" in line 5 of section 49E, the words "held by him" be substituted.

He said :—

"My Lord, following in the footsteps of my learned friend Rai Debender Chunder Ghose Bahadur, I will go a step further and, to remove all ambiguity, ask that the words 'held by him' be substituted for the words 'under his own cultivation.' In fact the Government probably do not want to restrict the usufructuary mortgages simply to land immediately in the cultivation of an aboriginal. The expression 'in his possession,' as suggested by my hon'ble friend, may also be liable to misconstruction as to the meaning of the word 'possession', whether it is khas possession or indirect possession, so that to remove all doubts and difficulties, the words 'held by him' are necessary. In fact there may be many tenure-holders who have not an inch of ground under their own cultivation; the section proposes to give them the right of usufructuary mortgage be tenure-holders also, and in such a case the tenure-holder would be deprived of the advantage given by section 49E. So I think the words 'held by him' would cover both the intention of the framers of the Bill as well as the intention of my hon'ble friend. It is also a very comprehensive term and cannot lead to any misconception or misunderstanding."

The Hon'ble MR. CUMMING said :—

"Sir, far from this being unintentional and far from failing to carry out the intentions of the framers of the Bill, it is the very opposite; it is deliberately intended. The amendment proposed is a very dangerous one; it is

intended that a person holding land through raiyats should not be allowed to mortgage, because, if he does so, the mortgagee would become the landlord over his raiyats, and the very evils which this Bill is intended to combat would come into being. Anyone who has studied the literature on the subject realises how the disintegration of these Sonthal villages has been continuous and that this is one of the methods by which this disintegration is produced. I therefore object to the amendment which strikes at the very root of the intention of the framers of the Bill."

The Hon'ble Rai Debender Chunder Ghose's motion was then put and lost.

The Hon'ble Babu Ambika Charan Mazumdar's motion was then put to the vote.

A division was taken with the following result:—

Ayes—8.

The Hon'ble Dr. Nihatan Sarkar.
" " " Doba Prasad Sarbadhikari, C.I.E.
" " Rai Debender Chunder Ghose Bahadur.
" " " Radha Charan Pal Bahadur.
" " Babu Surendra Nath Ray.
" " " Mahendra Nath Ray, C.I.E.
" " " Kishori Mohan Chaudhuri.
" " " Ambika Charan Mazumdar.

Noes—30.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " " Satyendra Prasanna Sinha, KT.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Surgeon-General W. R. Edwards, C.B., C.M.G.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " " J. H. Kerr, C.S.I., C.I.E.
" " " J. Donald.
" " " L. S. S. O'Malley.
" " " F. A. A. Cowley.
" " " C. H. Bompas.
" " " W. C. Wordsworth.
" " " C. F. Payne.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " Mr. J. Mackenzie.
" " " W. H. H. Arden-Wood, C.I.E.
" " " Ameer Rahman.
" " Raja Hrishikesh Laha, C.I.E.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishor Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " " F. W. Carter, C.I.E.
" " Sir A. Birkmyre, KT.
" " Mr. E. B. Eden.
" " " E. A. Martin.
" " Maulvi Abul Kasem.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Babu Bhabendra Chandra Ray.
" " Rai Sri Nath Ray Bahadur.
" " Rai Mahendra Chandra Mitra Bahadur.

The following member abstained from voting, viz.:—
The Hon'ble Mr. Altaf Ali.

The following members were absent.:—

The Hon'ble Mr. T. C. P. Gibbons.
" " " E. B. H. Panton.
" " Ihtisham-ul-Mulk Rais-ud-Daula Amir-ul-Omrah Nawab Sir Asif Qadr Saiyid Wasif Ali Mirza Khan Bahadur Mahabat Jang, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Mr. R. Glen.
" " " Provash Chunder Mitter.
" " " H. R. A. Irwin.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Maulvi A. K. Fazl-ul-Haq.
" " Khan Sahib Aman Ali.
" " Babu Akhil Chandra Datta.
" " Mr. K. B. Dutt.

The ayes being 8 and the noes 30, the motion was lost.

Rai Debender Chunder Ghose Bahadur; Mr. Cumming

(Amendment No. VI.)

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR moved that for the word "seven" in line 7 of section 49E, the word "nine" be substituted

He said :—

"My Lord, this is a section which gives liberty to an aboriginal tenant to enter into an usufructuary mortgage with another person for a period of 7 years. It appears that when the Bill was originally framed, the period given was 9 years; when the Bill went to the Select Committee, the Select Committee found that in the Chota Nagpur Tenancy Act, Bengal Act I of 1908, the period given in such cases was 7 years, so, without giving any reason, they said that because it was 7 years in the Chota Nagpur Tenancy Act, therefore we must adopt the same period, *i.e.*, give 7 years as the maximum period of a usufructuary mortgage. Now this law is a law in continuance of the policy of this Government of making the rights of the less intelligent people of the country inalienable. They are improvident, extravagant and the State comes to their aid and says, 'Your rights, in your landed property, will not pass to another; if it passes, it must pass to some person of your class.' One of the earliest legislative enactments in this connection was the Punjab Alienation Act, and in that Act the period given in these matters, *i.e.*, usufructuary mortgage, is 20 years. Similarly, when there was a regulation passed for the Ajmere tracts, the period given was 20 years, and I am told,—I am not speaking from first-hand experience,—that in the Central Provinces also the period is considerably longer. In this Bill as it was framed the period was 9 years. The Bill, as I understand it, was originally framed by Mr. McAlpin, who has an intimate acquaintance with the conditions of life of these aboriginals in several districts, and the Bill was introduced in Council by the Hon'ble Mr. Beatson Bell, who certainly was not wanting in knowledge of the conditions of life of these people. Under these circumstances, without any reason, any intelligible reason being given, except that the period of 7 years is given in the Chota Nagpur Tenancy Act, Sir, I would submit that it is not safe to make it so short as 7 years. We must remember that in the Chota Nagpur Division there is a very large community of aboriginals, and it is not so small as we find in other districts of Bengal proper. That being so, you can have as short a period as 7 years because there would be many more people willing to advance money on the security of landed property in Chota Nagpur than would be the case in Bengal, and therefore I submit that it would be well to give a little longer period as originally given in the Bill. Nine years is not very long, but still I bow to the opinion of the gentlemen who are responsible for the Bill as it was originally framed."

The Hon'ble MR. CUMMING said :—

"Sir, I think these are rather meticulous criticisms. The Hon'ble Member has referred to Mr. McAlpin who, he says very properly, was the author of this legislation. At the time when the Bill was under preparation I asked Mr. McAlpin why the period of 9 years had been fixed; unfortunately he could not tell me, and after much research it could not be found why 9 years had been fixed; and it was on his initiative that we agreed to bring the Bill in conformity with the period which is already in force in section 46 of the Chota Nagpur Tenancy Act. I therefore hold, Sir, that there is no good reason why 9 should be taken, while there is good reason why 7 should be taken. I think that the Council may, without apprehension, adopt the period that was adopted unanimously by the Select Committee."

The motion was then put and lost.

Rai Debender Chunder Ghose Bahadur; Mr. Cumming; Babu Ambika Charan Mazumdar.

(Amendment No. VII.)

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR moved that section 49E be numbered as sub-section (*1*) of that section and that the following be inserted after the proviso to that section, namely :—

"(*2*) An aboriginal tenant's power and right to mortgage shall be restricted to only one form of mortgage, namely, the usufructuary mortgage."

He said :—

"My Lord, I find that in this Bill there is a later provision, section 49K which debars the Court from selling the right of the mortgagee for the satisfaction of the mortgage-debt, and if that be so, it comes to this that if a man enters into a mortgage and agrees to repay the debt after a certain period and mortgages his right to the land as security creditor they will be without a remedy so far as security is concerned if he goes to court, because the court will refuse to sell the secured land of the judgment-debtor and pass only a personal decree. That being so, it would be much better to say in so many words, without leaving this question to be raised hereafter, that there will be only one form of mortgage, *i.e.*, usufructuary mortgage, and no other form of mortgage. It will save litigation."

The Hon'ble MR. CUMMING said :—

"I cannot accept the correctness of the Hon'ble Member's argument that, while a simple mortgage is not forbidden, yet under section 49K the remedy for enforcing an usufructuary mortgage through the civil court is forbidden, but I am prepared to meet him. I should like to read his amendment in the following form, if he will accept this alteration :—

"An aboriginal tenant's power to mortgage his land shall be restricted to only one form of mortgage, namely, a complete usufructuary mortgage."

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said :—

"I accept that."

The Hon'ble MR. CUMMING said :—

"Sir, I suggest that the amendment, as modified, be accepted."

The motion was put in the modified form and agreed to.

(Amendment No. VIII.)

Proposed Section 49F.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved that after sub-section (*1*) of section 49F the following be added, namely :—

"Provided that the Collector shall not ordinarily withhold such permission in the case of an aboriginal tenure-holder applying to settle with a non-aboriginal person any hill or rock or other land within his tenure which may be wholly unfit for cultivation."

He said :—

"My Lord, the amendment which I have moved refers to section 49F. That section deals with leases, sub-leases and mortgages by aboriginals to various classes of people. It is provided that if he wants to do all these things

he must go to the Collector to have his permission. That, no doubt, protects the aboriginal generally from letting out his land to a non-aboriginal to his own detriment, but it seems to me that there are certain classes of land which may be very usefully, I may say to the very best interests of the aboriginals, leased out to non-aboriginals. I have seen in many Sonthal Parganas districts where hills, rocks and other lands, wholly unfit for cultivation, have been let out to non-aboriginal persons to considerable advantage. These lands have long been useless to them, but to health-seekers and other people who want to build houses in these parts of the country, these rocks, hills and other lands, unfit for cultivation, are let at a very fair rent, and at the same time with a very fair bonus. We ought not to deprive the aboriginal tenure-holders or raiyats of these advantages. Of course Simultala and other places do not belong to Bengal now, but you may enquire of the Ghatwals of Telua or the Thakurs of Rohini, and you will find what advantages they have derived by letting out hills and rocks to other people which were perfectly useless to them before, and I think the objects of the Bill would be fully maintained if an additional advantage is given to the non-aboriginal tenure-holders and raiyats who has to let out lands which are wholly unfit for cultivation to non-aboriginals for purposes for which they themselves cannot use them, and with this view I move that this permission of the Collector shall not ordinarily be withheld in case an aboriginal tenure-holder applies for permission to settle with a non-aboriginal person land which is unfit for cultivation. I have used the word 'ordinarily' deliberately. I do not wish that the aboriginal tenure-holder should foolishly part with his land, which he may use for other purposes, and therefore when the Collector shall have to consider an application for settling land with other people made to him, he shall have an opportunity of considering whether it was a case in which permission ought or ought not to be granted for the benefit of the aboriginal. And, of course, if he finds an exceptional case he may withhold the permission. That is the object of this amendment, and I hope it will meet with the approval of Government."

The Hon'ble Mr. Cumming said :—

"Sir, the Hon'ble Member has prepared this amendment, as he says, in the interests of the aboriginals. My reply to that is that the clause as framed does not prohibit such a transfer; and if the Collector finds that it is to the interest of the aboriginals in such cases as the Hon'ble Member has mentioned, surely the Collector would be the very first to allow the transfer. But I go further and suggest that details of this nature seem rather out of order in legislation of this type. The underlying principle is that in certain classes of cases the aboriginal is not allowed to transfer of his own volition, but that he must get the permission of his Collector; and again I refer to the literature on the subject. The Sonthals say,—'We wish to be protected against ourselves; we wish that our power of transfer should be limited', and I think that, if there is a transfer and if it is at all suitable in the interests of the aboriginals, the Collector would be the first to allow it to take place."

The Hon'ble Babu Ambika Charan Mazumdar said :—

"My Lord, it is with the object of giving the Collector some idea of the policy of the legislation that I want this amendment, and I fully understand that the Collector may grant permission in case of hills, rocks and so forth, but the amendment would give him an idea as to the policy which we are pursuing in framing this section, *i.e.*, in the case of hills, rocks, etc., the policy is to grant permission and not withhold it. The Collector may be misled. He may have his own ideas and opinions and he may refuse bodily all

applications of that sort. To give him an idea as to what is the policy of the law, not to restrict the right of transfer in certain cases, that I have moved this amendment."

The motion was then put and lost.

(Amendment No. IX.)

Proposed Section 46G.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR moved that the word "valid" be inserted after the words "shall be" in line 4 of section 49G, and the rest of the section beginning with the word "registered" and ending with the word "jurisdiction" be omitted.

He said :—

"My Lord, I understand that the framers of the Bill would not have it declared that any transaction in contravention of the provisions of this chapter shall be valid, and that it will be more effective if we were to tell the Registrar not to register any instrument or transaction in contravention of the provisions of this chapter. It is throwing a very great burden on the Registrar, and unfortunately the Registration Department is the least educated in law. I think it would lead to considerable legal proceedings or proceeding before the Sub-Registrar and District Registrar and so on if you allow a provision like this to remain in the Statute Book. But if you say it will not be valid, I think it will answer your purpose. The registration of a document does not necessarily make it valid; it is merely a help in the procedure before a court as regards evidence of the transaction and also as evidence of something of a transaction that happened at a certain time. If the transaction itself is invalid, is forbidden by law, I do not see why you should go out of your way and say that no Registrar shall register it. There is no harm if it is registered, nor is it necessary in a legislative enactment to say that it will not be valid for any purpose. I do not know whether if you say it will not be valid, whether it will be recognised as valid by any court, in the exercise of its criminal jurisdiction, though it may be some evidence of the commission of a crime. I do not know whether you can restrict the criminal court from looking into it, and therefore I say that the rest of the sentence is needless."

The Hon'ble MR. CUMMING said :—

"Sir, the Hon'ble Member bases his amendment, I apprehend, on two grounds: first as a matter of drafting and secondly as a matter of common sense. First as to the matter of drafting, if the Hon'ble Member's proposal were carried out, I ask him to consider what would be the difference between 49G and 49B, and I would further point out to him that the phrases to which he objects are contained in no fewer than three Acts. In the Chota Nagpur Act it is said that no transfer shall be registered or shall be in any way recognised as valid by any court, whether in the exercise of civil, criminal or revenue jurisdiction. In the Punjab Alienation of Land Act it is stated that an instrument which contravenes any provision of this Act shall not be permitted to be registered, and in the Sonthal Parganas Settlement Regulation it is stated that no transfer or transaction in contravention of this Act shall be registered or shall be in any way recognised as valid in any court whether in the exercise of civil, criminal or revenue jurisdiction. I think, Sir, whether on the ground of common sense or on the ground of drafting the framers of the Bill had ample reason for making this addition."

Rai Debender Chunder Ghose Bahadur; Mr. Cumming; The President

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said :—

"My Lord, there is a preceding section 49C, which says that any transaction in contravention of the previous section will be invalid, and my objection is that part, if not the whole, of section 49G is redundant. It is not necessary, and the luxury of having the provision as regards registration and having a broad statement to the effect that no court in the exercise of any civil, criminal or revenue jurisdiction will recognise it, will not make this piece of legislation a work of art. If you use other words, if you put in redundant or unnecessary provisions, then one cannot admire the workmanship."

The motion was then put and lost.

(Amendment No. X—first part.)

The Hon'ble MR. CUMMING moved that after the word "continued" in line 6 of sub-section (*1*) of section 49H the words "or is" be inserted.

He said :—

"The object of this amendment is purely verbal. The wording of the clause is 'has continued,' but the idea of continuance is not correct with reference to the use of section 49F, and I therefore wish to add the words 'or is' after the word 'continued' in order to make the whole phrase logical."

The motion was put and agreed to.

(Amendment No. XI.)

The PRESIDENT addressing the Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"Does the Hon'ble Member wish to move his amendment?"

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said :—

"My proposed amendment will not now be necessary in view of the amendment which has been accepted."

The Hon'ble Member, accordingly, with the approval of the President, withdrew the following motion standing in his name, namely, "that for the word 'or' in line 7 of sub-section (*1*) of section 49H the words 'or has been in possession in contravention of the provisions of' be substituted."

(Amendment No. X—second part.)

The Hon'ble MR. CUMMING then moved that after the figures and letter "49 F" in line 7 of sub-section (*1*) of section 49H the words "as the case may be" be inserted.

He said :—

"This again, Sir, is a matter of drafting. It is considered proper to make this addition if the first part of the amendment was accepted."

The motion was put and agreed to.

(Amendment No. XII.)

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR moved that for the word "ejection" at the end of proviso (*b*) to sub-section (*1*) of section 49H, the word "ejectment" be substituted.

Babu Ambika Charan Mazumdar; Mr. Cumming; Kumar Shib Shekhareswar Ray.

He said :—

"My Lord, 'ejection' is a good English word, but in this case of landlord and tenant the legal phraseology is 'ejectment.' I think, I am not wrong in saying that it is more usual to say 'ejectment' in place of 'ejection.'"

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"'Ejection' is a queer expression, although it may be good English, but I would use the word 'eviction' which I think is more appropriate."

The Hon'ble MR. CUMMING said :—

"I accept the Hon'ble Member's amendment and beg to thank him for pointing out the defect."

The motion was put and agreed to.

(Amendment No. XIV.)

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY moved that for the first two lines of sub-section (*2*) of section 49H the following be substituted, namely :—

"Within a month of passing an order under sub-section (*1*), the Collector shall either—".

He said :—

"My Lord, this is a small matter. A limitation of this kind is necessary because considerable delay may be caused in the Collector's office before the order is carried out and the land is disposed of in the manner prescribed. I therefore hope that my amendment will be accepted."

The Hon'ble MR. CUMMING said :—

"Sir, I understand the Hon'ble Member to say that unless a limitation of this kind is imposed a considerable delay will occur in the Collector's office. I object to any limitation of this description. I think it unreasonable to bind the Collector to this period. Besides, it is not inconceivable that the matter might never come up at all before the Collector within the prescribed period. It is rather unfair, and on general grounds it is unreasonable, to bind the Collector."

A division was then taken with the following result :—

Ayes—13.

The Hon'ble Mr. Provash Chunder Mitter.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishore Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " Dr. Deba Prasad Sarbadhikari, C.I.E.
" " Rai Debender Chunder Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur.
" " Mr. Ashraf Ali Khan Chaudhuri.
" " Babu Bhabendra Chandra Ray.
" " Rai Srinath Ray Bahadur.
" " Mr. K. B. Dutt.
" " Babu Kishori Mohan Chaudhuri.

Noes—27.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " " Satyendra Prasanna Sinha, KT.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Surgeon-General W. R. Edwards, C.B., C.M.G.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " " J. H. Kerr, C.S.I., C.I.E.
" " " J. Donald.
" " " L. S. S. O'Malley.
" " " F. A. A. Cowley.
" " " C. H. Bompas.
" " " W. C. Wordsworth.
" " " C. F. Payne.
" " " E. B. H. Panton.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " Mr. J. Mackenzie.
" " " W. H. H. Arden-Wood, C.I.E.
" " " Aminur Rahaman.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. F. W. Carter, C.I.E.
" " Sir A. Birkmyre, KT.
" " Mr. E. B. Eden.
" " " E. A. Martin.
" " Maulvi Abul Kasem.
" " Khan Sahib Aman Ali.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Mahendra Nath Ray, C.I.E.
" " " Ambika Charan Mazumdar.

The President; Babu Ambika Charan Mazumdar; Rai Debender Chunder Ghose Bahadur.

The following members abstained from voting:—

The Hon'ble Dr. Nilratan Sarkar.
" " Maulvi A. K. Fazl-ul-Haq.
" " Babu Surendra Nath Ray.

The following members were absent:—

The Hon'ble Mr. T. C. P. Gibbons.
" " Ihtisham-ul-Mulk Rais-ud-Daula Amir ul-Omrah Nawab Sir Asif Qadr Saiyid Wasif 'Ali Mirza Khan Bahadur Mahabat Jang, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Mr. R. Glen.
" " " H. R. A. Irwin.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Mr. Altaf Ali.
" " Babu Akhil Chandra Datta.

The ayes being 13 and the noes 27, the motion was lost

(Amendments Nos. XIV, XV, XVI and XVII.)

The PRESIDENT said:—

"In the next amendment on the paper, the Hon'ble Member in charge of the Bill proposes to leave out the word 'heir' and to substitute the words 'heir or legal representative' for it. The amendment which appears after that on the paper stands in the name of the Hon'ble Rai Debender Chunder Ghose Bahadur, who proposes to leave out the word 'heir' altogether and substitute the words 'legal representative' for it. I shall therefore call upon him to move his amendment first."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—

"My Lord, might I rise to a point of order and obtain Your Excellency's ruling? I think amendment No. XVI, which stands in my name, should precede both Nos. XIV and XV."

The PRESIDENT said:—

"I do not understand on what grounds the Hon'ble Member asks that his amendment should precede No. XV. The amendment will precede No. XIV, but I do not understand why it should precede No. XV."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—

"For this reason, my Lord, the amendment of the Hon'ble Mr. Cumming, No. XIV, is to add the words 'heir or legal representative' and amendment No. XV is also practically to that effect, but amendment No. XVI wants to eliminate the word 'heir' altogether and to substitute certain other words for it, so that if amendment No. XVI be carried it will not be necessary to move Nos. XIV and XV at all, but if amendments Nos. XIV and XV be carried, it will cancel No. XVI."

The PRESIDENT said:—

"I have already ruled to that effect. Amendment No. XV also proposes to leave out the word 'heir,' and there is no reason why Nos. XVI should precede No. XV."

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR moved that in sub-section (2) of section 49H for the word "heir", in the two places where it occurs, the words "legal representative" be substituted.

He said :—

"My Lord, as you recognise testamentary powers in aboriginals, it is just possible that on the death of an aboriginal, if he leaves a will which is proved, that his heir may not be the person to represent the estate. Somebody other than the heir may be his legal representative. An heir may be the legal representative, but not necessarily so; somebody else may also be the legal representative, and therefore I think that if the Collector or the person who has the disposing power is to find out the person to whom the possession of the property is to be given, and if he is not allowed any liberty in the matter, or if he has to find out the proper person to represent the estate, then the proper expression should be 'legal representative', which expression may include the heir, but not always so. As regards any other alteration, 'heir' or 'legal representative', of course that gives liberty to the disposing authority to select either the heir or the true legal representative who might not be the heir. That is my submission to the Council."

The Hon'ble MR. CUMMING said :—

"This is a matter of legal drafting; and in this case I am advised that although 'legal representative' might suitably be substituted for 'heir' it will be better to have both phrases. It is for this reason that my name is down for another amendment to that effect. But I appeal to Hon'ble Members that in actual practice in dealing with Sonthals the person who would first occur to the mind of the Collector if the aboriginal tenure-holder, raiyat or under-raiyat, were not available, would be the heir of such person, failing a member of his own family. That being so, as a matter of practical politics I suggest that the word 'heir' be retained."

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said :—

"I accept the Hon'ble Mr. Cumming's suggestion and I beg to withdraw my amendment."

The motion was then, by leave of the President, withdrawn.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved that for the word "heir", in line 3 of clause (*a*) of sub-section (*2*) of section 49H, the words "son, daughter, wife or husband, as the Collector may think fit" be substituted.

He said :—

"My Lord, section 49H relates to eviction by the Collector in certain cases, that is to say, when a person comes into possession of any land in contravention of the provisions of the previous section, the Collector may evict him and restore the land to the transferee or his heirs. My objection is this. I do not want to cut down the power of the Collector; the word 'heir' always implies a certain law under which this heirship is claimed. You cannot have an heir without some sort of jurisprudence to determine the heirship. As regards most of the aboriginals, they are neither Hindus nor Muhammadans. In certain tracts they are akin to the Muhammadans and in others they are akin to the Hindus, so that when the Collector shall have to determine an heir in the absence of a transferee, by what law is he to be guided? Will he come under the Hindu law or the Muhammadan law? I know that heirship is also determined by custom, but I think among these aboriginal tribes you cannot find a well-defined custom always prevailing, so that it will be very difficult for the Collector to find out the heir. Besides a man may turn up and say that he is the brother of the deceased and claim the property, and the Collector orders that the property be given to him. Then again someone else may turn up and say he is the son of the deceased. It would lead to interminable cases compelling the Collector to enquire into all sorts of

questions of law and custom. The object of the present measure is this, as it appears to me, that when the Collector takes up the matter into his hands, the land should go first of all to the nearest kith and kin of the transferor and not to a non-aboriginal. That is the spirit. Now, it is not also a case of heirship because as soon as the tenant transferor has made the transfer he loses his right, he forfeits it. Then the legislature wants to come in and say, 'We shall have someone nearest to him.' It is not a case of heirship, it is only a case of aboriginal *versus* non-aboriginal. In that case, I believe the object of the law would be fully satisfied if we distinctly mention son, daughter, wife or husband, as the case may be, or as the Collector thinks fit. I propose to give a wider latitude to the Collector; he may give it to the son or to the daughter or to the wife, or in the case of the wife being the tenant to the husband; so that it is not a case of heirship under any law, in fact there being hardly any law which you can say determines the case of this aboriginal or that aboriginal. In these cases, the purposes of the law would be best served by specifying the relations to whom the property can be given. Otherwise, the landlord will be involved in frequent quarrels and litigations, which is, I believe, not the avowed object of the proposed legislation. I have mentioned the specific heirs to provide that he is not a non-aboriginal and also that he is one of the nearest kith and kin of the transferor. So instead of having the word 'heir,' which would bring in intricate questions of law and fact, it would be much better to define exactly to whom the Collector may give the property,—the son, daughter, wife or husband, as the Collector may think fit. I want to give a certain amount of discretion to the Collector. I have already said there is no question of heirship, because the right has been forfeited. It is the intention of the legislature to keep the lands in the hands of the aboriginals by declaring in favour of anyone who may be nearly related to the deceased. The introduction of the word 'heir' will give rise to difficulties and uncertainties which we ought to avoid."

The Hon'ble MR. PROVASH CHUNDER MITTER said:—

"My Lord, I desire to support this amendment. The object of this is to afford protection to the aboriginals, and I understand that that protection would be amply secured if you give the protection to the immediate heirs of that aboriginal, and the words 'son, daughter, wife or husband' will preclude a lot of artful supposed distant relations coming forward as heirs, and as indicated by my hon'ble friend, these aboriginals are governed by customary laws. Then the object of this legislation not being to give it to such persons, therefore these words I submit will serve that object fully, and therefore I support this amendment."

The Hon'ble MR. CUMMING said:—

"My Lord, I have listened to the remarks of the hon'ble gentlemen who have spoken. I appreciate their arguments. They both desire that the property should be retained in the Sonthal family. That, of course, is the object of the Bill, but, at the same time, I am advised by those who have knowledge of the practical working that there will be no difficulty if the word 'heir' be retained. However, as I have already stated, I am prepared, in order to cover the cases of those who are not actually members of the family, to include Sonthals who are local representatives. One Hon'ble Member desires to restrict the Collector to this form, but I think it is neither wise nor necessary. I would only suggest to him—supposing the grantor were the heir, would he be precluded from receiving the property? I do not think so. I, therefore, advise the Council to retain the phrase in this more generic form."

Mr. Bompas; Mr. Cumming; Babu Ambika Charan Mazumdar; Kumar Shib Shekhareswar Ray.

The Hon'ble MR. BOMPAS said :—

"My Lord, as one well acquainted with the Sonthals, may I show to the Hon'ble Babu Ambika Charan Mazumdar that his apprehensions are unfounded and that the remedy he purposes will not meet the evil which he wishes to avoid? There is no real difficulty in finding what the customary law of a particular tribe is, with whom the Magistrate has to deal. As a matter of fact, as regards Sonthals, it has been reduced to writing and is explained in a whole series of case law. The difficulty, which he will fall into if this amendment were adopted, is that he will compel the Collector to give abandoned land to people who have no right to it. The object, I take it, is that if the raiyat, in defiance of this law, abandons or transfers his holding, he does so to the prejudice of his natural heir or the person who would, in due course otherwise, have succeeded him, and the Collector intervenes and restores that person who would in the natural course of events have succeeded to that holding. These words would, at any rate among the Sonthals, prevent the Collector from putting into an abandoned holding the former owner's natural successor. Among the Sonthals a daughter is not an heir; in the absence of a son, a brother is a prior heir; and in the natural course of events, if there are no sons or son's sons to the Sonthal, his brother and after him the brother's son would succeed. The Collector would be unable to do that simple act of justice. I am not aware of the tribal law prevailing among other races to which the Act may be applicable, but they may have other customs which also the Collector would be unable to give effect to if these four particular heirs and successors are mentioned and the Collector given no discretion."

The motion was put and lost.

The Hon'ble MR. CUMMING moved that in sub-section (2) of section 49H for the word "heir" in the two places where it occurs, the words "heir or legal representative" be substituted.

He said :—

"I now move the amendment which stands in my name. I need not elaborate the arguments already adduced, but ask the Council to accept this addition as meeting the points that have been already raised in the debate."

The motion was put and agreed to.

(Amendment No. XVII.)

The following motion by the Hon'ble BABU AMBIKA CHARAN MAZUMDAR was then held to be withdrawn, viz., that for the word "heir," in line 1 of clause (*b*) of sub-section (2) of section 49H, the words "son, daughter, wife or husband, as the case may be" be substituted.

(Amendment No. XVIII.)

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY moved that the words "on such terms as he deems fit", in lines 7 and 8 of clause (*b*) of sub-section (2) of section 49H be omitted, and that the words "on the terms on which it was held before the transfer" be inserted after the word "aboriginal" in line 8 of that clause.

He said :—

"This amendment is necessary as otherwise the Collector may make a settlement on easier terms which would mean so much less to the landlord, and that through no fault of his own. I, therefore, think that a restriction of this kind should be put on the discretionary power of the Collector."

Babu Ambika Charan Mazumdar; Mr. Cumming; Kumar Shib Shekhareswar Ray.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said —

"My Lord, I fully support this amendment. We have already made the Collector a zamindar without a zamindari. I think we ought not to make him an irresponsible zamindar. When the Collector settles the amount, he ought not to be allowed to settle on terms other than those which appertain to the original holding, and I think it is but just and reasonable that he should be confined to the terms incidental to the original holding and not to deviate from them either in the way of strictness or of laxity."

The Hon'ble MR. CUMMING said :—

"Sir, this amendment is proposed on the ground that it is intended to prevent the detriment of the landlord's interest. I think the Hon'ble Members who have spoken have overlooked the fact that this is a penalty clause, that the landlord has already had one year in which to exercise his rights, and that the Collector does not come in at all within this year. I put it to the Council whether it is unreasonable after that period to give the Collector such discretion as he thinks fit to exercise. I, therefore, oppose the amendment."

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY said :—

"My Lord, it is quite possible that a holding may not be taken on the same terms, but a non-aboriginal may come forward and pay the same rate of rent. The zamindar has got six months' time."

The Hon'ble MR. CUMMING said :—

"No, he has got one year's time."

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY said :—

"It does not matter, it may be one year, it only shows that he cannot get an aboriginal tenant to take the holding at the existing rent, but that is no reason why he should not settle the holding with a non-aboriginal. It was not the zamindar's fault that the holding was taken away from the occupier and made over to him for resettlement."

A division was then taken with the following result :—

Ayes—17.

The Hon'ble Raja Hrishikesh Laha, C.I.E.
" " Mr. Provash Chunder Mitter
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishore Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " Dr. Deba Prasad Sarbadhikari, C.I.E.
" " Rai Debender Chunder Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur
" " Mr. Ashraf Ali Khan Chaudhuri.
" " Babu Bhabendra Chandra Ray.
" " Mr. Altaf Ali.
" " Rai Srinath Ray Bahadur
" " " Mahendra Chandra Mitra Bahadur.
" " Mr. K. B. Dutt.
" " Babu Kishori Mohan Chaudhuri.
" " " Ambika Charan Mazumdar.

Noes—21.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Satyendra Prasanna Sinha, K.C.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Surgeon General W. R. Edwards, C.B., C.M.G.
" " Mr. C. J. Stevenson Moore, C.S.I.
" " " J. H. Kerr, C.S.I., C.I.E.
" " " L. S. S. O'Malley.
" " " F. A. A. Cowley.
" " " C. H. Bompas.
" " " W. C. Wordsworth.
" " " C. F. Payne.
" " " E. B. H. Panton.
" " Rai Peiya Nath Mukharji Bahadur, C.I.E.
" " Mr. J. Mackenzie.
" " " W. H. H. Arden Wood, C.I.E.
" " " Ameer Rahman.
" " " F. W. Carter, C.I.E.
" " Sir A. Birkmyre, K.T.
" " Maulvi Abul Kasem.
" " Khan Sahib Aman Ali.
" " Babu Mahendra Nath Ray, C.I.E.

The following members abstained from voting :—

The Hon'ble Dr. Nilratan Sarkar.
" " Mr. E. B. Eden.
" " " E. A. Martin.
" " Babu Surendra Nath Ray.
" " Maulvi A. K. Fazl-ul-Haq.

The following members were absent :—

The Hon'ble Mr. T. C. P. Gibbons.
" " " J. Donald.
" " " Ihtisham-ul-Mulk Rais-ud-Daula Amir-ul-Omrah Nawab Sir Asif Qadr Saiyid Wasif 'Ali Mirza Khan Bahadur Mahabat Jang, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.
" " " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Mr. R. Glen.
" " " H. R. A. Irwin.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Babu Akhil Chandra Datta.

The ayes being 17 and the noes 21, the motion was lost.

(Amendment No. XIX.)

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved that after sub-section (2) of section 491I the following be added, namely :—

"Provided that if the Collector restores the transferor to the possession of the transferred land, he shall order him either to refund the consideration money actually paid by the transferee or pay such compensation to him as may appear reasonable to the Collector under the circumstances of the case."

He said :—

"We have sufficiently safeguarded the interests of the aboriginals and we have gone so far as to lay down that if the transfer is in contravention of the provisions of this chapter, the Collector may turn out the transferee and restore the transferor to the possession of the transferred land or in his absence to his heir or legal representative. Now, Sir, it is a well-known maxim of law that no man ought to be allowed to derive the benefit of his own fraud. It is a mistake to suppose that aboriginals are so simple that we may not find simpler perosns among non-aboriginals. If a person transfers his lands to a non-aboriginal and the Collector turns him out, is it not fair that he the transferor should also return the money which he has swallowed? If we do not provide a safeguard like that it might be said that we are putting a premium on fraud. I know some of these aboriginals to be very shrewd people, and in fact we should not be justified in presuming that the blame should be entirely on the side of the non-aboriginals. Both may be guilty or one may be more guilty than the other, and in these cases it is only just and fair that the money should be refunded by the transferor, and I have added further that it may not be the money actually paid; it may be some reasonable compensation. If the Collector thinks that the transferee is more to blame than the transferor he may give him a nominal compensation; if he thought the case was the reverse, he may give him the full compensation or the money actually paid, so that in any case he ought to compensate the transferee, whether in smaller or larger amounts it does not matter. It would be impolitic to allow an aboriginal to deal with his property in any manner he likes in contravention of this law, and then set the Collector in motion so that he may take the property as well as the money. It has often been said that one cannot be pardoned and yet retain the offence. I have not intentionally retained the words 'of the transfer' for this reason that the transferor may have misused the whole of the money obtained by him, and his legal heir or representative may not have got anything out of it, so that this proposal for granting compensation to the transferee should not be extended beyond the transferor himself, and it seems to me that there is no reason why the Collector should not be empowered to consider whether in each particular case the transferor was not to some extent blameable for the transfer. He evidently got the money, and the Collector ought to have the power

to see whether he should go scot-free or whether he should pay something according to his complicity in the matter. I think it would not be good policy to allow the man to retain his land, and yet swallow all the money which he has received. I venture to submit that the Council will consider that it is not always the case that it is only a non-aboriginal trying to induce an aboriginal to enter into a transaction like this. I think it is fair that opportunity should be given to the Collector to decide whether he should be given compensation or not."

The Hon'ble MR. CUMMING said :—

"Sir, I object to this amendment. The Hon'ble Member will recollect that if a transfer is *ab initio* void, the Collector is trying to put it right. He first gives the landlord a chance of doing so, and then he takes action himself. The question for consideration is, I suggest, entirely alien to this, and I venture to think that an examination of this point would introduce many complications. At first sight it might appear that the aboriginal tenant had got the money in his pocket, and that all that ought to be done was to ask him to give it up, but in actual practice the consideration is probably the payment of some debt; and if so, the Collector would have to examine the whole matter of the initiation of this debt. I therefore think that all this is alien to the object of the Bill. I, therefore, recommend to the Council that this amendment be not accepted."

The motion was then put and lost.

(Amendment No. XX.)

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved that at the end of section 49H the following be added, namely :—

> (3) Nothing in this section shall apply to or affect the right of an auction purchaser in a sale either under proviso (*a*) or proviso (*c*) to section 49K, whether he be an aboriginal or not."

He said :—

"I move this amendment practically against the interests of my own profession which thrives owing to the obscurity of the law and the weakness of judges. We have in this piece of legislation two provisos (*a*) and (*c*) to section 49K which refer to sales either for arrears of rent or for the recovery of public demands. Evidently, Sir, the present legislation refers to private transfers. But difficulties may arise unless we explicitly say that these provisions do not apply to auction purchasers. Under these two sub-sections any tenure or holding belonging to an aboriginal may be sold in execution of a decree of a competent court, and purchased by anyone, and therefore to make it clear in this case the purchaser may be an aboriginal or a non-aboriginal, so that their case ought not to come under the stringent provisions of this new chapter. Only to make it clear, I say, let us distinctly say that it does not apply to their case."

The Hon'ble MR. CUMMING said :—

"Sir, I appreciate the point that has been raised by the Hon'ble Member who desires to make the Act more clear with reference to clause 49K, but as this is a matter of legal drafting I suggest to him that the phrase with which the clause begins 'notwithstanding anything in this Act.....' is sufficient for the purpose; and on the ground that the amendment is unnecessary, I ask that it be not accepted."

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said :—

"My Lord, section 49K does not end with the proviso (*a*), but there are other provisos, namely (*b*) and (*c*). It is not exactly clear, so it is a point

which ought not to be left in doubt. It is true that upon one reading of the Act the impression is that it relates only to transfers between parties independent of law courts, and it does not refer to involuntary or compulsory sales, but to avoid any unnecessary litigation it might be well to adopt my hon'ble friend's suggestion that it should be clearly stated that nothing in this section applies to what he calls auction sales and compulsory sales, and there will be no harm thereby especially when we find that the Bill is not free from redundancy in other matters; for instance, as regards the validity of certain transfers coupled with the matter of registration, that any deed of sale in contravention of the provisions of this Act, or shall not be registered and no court shall recognise it. All that is redundant. I do not see why it should not be absolutely clear, though we may be open to the charge of redundancy. As a matter of supererogation we might have the clause which the Hon'ble Member Babu Ambika Charan Mazumdar has suggested."

A division was then taken with the following result :—

Ayes—15.

The Hon'ble Dr. Nilratan Sarkar.
,, ,, Raja Hrishikesh Laha, C.I.E.
,, ,, Mr. Provash Chunder Mitter.
,, ,, Kumar Shib Shekhareswar Ray.
,, ,, Babu Brajendra Kishore Ray Chaudhuri
,, ,, Mr. Arun Chunder Singha.
,, ,, Dr. Debu Prasad Sarbadhikari, C.I.E.
,, ,, Rai Debender Chunder Ghose Bahadur
,, ,, ,, Radha Charan Pal Bahadur.
,, ,, Mr. Ashraf Ali Khan Bahadur.
,, ,, Babu Bhabendra Chandra Ray
,, ,, ,, Surendra Nath Ray.
,, ,, Mr. K. B. Dutt.
,, ,, Babu Kishori Mohan Chaudhuri.
,, ,, ,, Ambika Charan Mazumdar

Noes—23.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
,, ,, ,, Satyendra Prasanna Sinha, KT.
,, ,, Mr. J. G. Cumming, C.S.I., C.I.E.
,, ,, Surgeon-General W. R. Edwards, C.B., C.M.G.
,, ,, Mr. C. J. Stevenson-Moore, C.V.O.
,, ,, ,, J. H. Kerr, C.S.I., C.I.E.
,, ,, ,, J. Donald.
,, ,, ,, L. S. S. O'Malley.
,, ,, ,, F. A. A. Cowley.
,, ,, ,, C. H. Bompas.
,, ,, ,, W. C. Wordsworth.
,, ,, ,, C. F. Payne.
,, ,, ,, E. B. H. Panton.
,, ,, Rai Priya Nath Mukharji Bahadur, I.S.O.
,, ,, Mr. J. Mackenzie.
,, ,, ,, W. H. H. Arden-Wood, C.I.E.
,, ,, ,, Ammin Rahaman
,, ,, ,, F. W. Carter, C.I.E.
,, ,, Sir A. Birkmyre, KT.
,, ,, Mr. E. B. Eden.
,, ,, Maulvi Abul Kasem
,, ,, Khan Sahib Aman Ali.
,, ,, Rai Mahendra Chandra Mitra Bahadur.

The following members abstained from voting :—

The Hon'ble Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
,, ,, Mr. E. A. Martin.
,, ,, Maulvi A. K. Fazl-ul-Haq.
,, ,, Rai Sri Nath Ray Bahadur.
,, ,, Babu Mahendra Nath Ray, C.I.E.

The following members were absent :—

The Hon'ble Mr. T. C. P. Gibbons.
,, ,, Ihtisham-ul-Mulk Rais-ud-Daula Amir-ul-Omrah Nawab Sir Asif Qadr Saiyid Wasif 'Ali Mirza Khan Bahadur Mahabat Jang, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.
,, ,, Sir Rajendra Nath Mookerjee, K.C.I.E.
,, ,, Mr. R. Glen.
,, ,, Mr. H. R. A. Irwin.
,, ,, ,, Abdulla-al-Mamun Suhrawardy.
,, ,, Mr. Altaf Ali.
,, ,, Babu Akhil Chandra Datta.

The ayes being 15 and the noes 23, the motion was lost.

(Amendment No. XXI.)

Proposed section 49J.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY moved that the following be omitted from sub-section (*1*) of section 49J, namely —

(*i*) the word "or" at the end of clause (*a*);

(*ii*) the whole of clause (*b*); and

(*iii*) the words and figures "subject to the provisions of sections 86 and 87" in lines 9 and 10 of that sub-section.

He said :—

"My Lord, this is a very important matter. Section 49J, as it now stands, threatens us with a serious encroachment on our vested rights—rights which we have been enjoying from time immemorial. Talking of vested rights, my Lord, I think I should make it clear at the very outset that the zamindars of Bengal will be the first persons to give up every bit of their vested rights for the benefit of their country if it can be proved to their satisfaction that by doing so the benefit obtained will be commensurate with the extent of sacrifice involved. But unless and until this can be proved, we can never entertain any proposal which interferes with our rights and thus means a repudiation of the sacred undertaking given to us by the Government at the time of the Permanent Settlement of Bengal.

My Lord, in the matter of settlement of our waste lands or lands abandoned or surrendered by our tenants, we have all along exercised a free and unrestricted right, but this provision of the Bill is going to put a restraint on our free action; it proposes to lay down that under certain circumstances we shall have to obtain the sanction of the Collector first.

My Lord, this is a very serious matter. Let us see how it is proposed to justify this interference with our rights. It is no doubt an admitted fact that the aboriginal tribes require some protection against being cheated out of their lands by designing persons. It is therefore undoubtedly necessary that certain restrictions should be put on them so that they might not run into hopeless debts or foolishly alienate their lands. With these ends in view, various enactments have been passed in the provinces of Bihar and Orissa, the Punjab and the Central Provinces. But let me tell your Lordship that nowhere in those enactments has any restriction been placed on the landlord as to how he should dispose of the holdings abandoned or surrendered by the aboriginals. Mr. Beatson Bell, who is originally responsible for this Bill, did admit in his notes that this is an innovation. He says :—

> 'This is new, but experience shows that provisions regarding the prohibition or restriction of transfers are defeated by so-called surrenders or abandonments. Provision is therefore made for making the resettlement of such lands by the landlord subject to the approval of the Collector.'

Yes, I admit that in theory at least there is a possibility of defeating the intention of the legislature in this way; but let us come to the practical side of the question. Do we for a moment realise that in order to alienate his holding by such surreptitious means the aboriginal shall have to enter into a conspiracy with his landlord and the intending non-aboriginal purchaser. But what gain does the landlord derive by joining the disgraceful conspiracy. It might be contended that a non-aboriginal will pay the landlord a bigger registration fee than an aboriginal purchaser. But we should remember that the maximum fee itself in one single transaction of this kind hardly exceeds Rs. 25, so the prospect of getting a rupee or two more is certainly not so big a temptation as to make a respectable zamindar stoop so low. Most of my official colleagues here surely know that no big or respectable zamindar can

act in this way; they undoubtedly care more for their reputation than for such petty pecuniary gains secured by so unfair a means. Now let us see what grave risks the other conspirator, I mean the occupier of the so-called abandoned holding, runs. Under the Bengal Tenancy Act (section 87) the abandoned holding may be reclaimed by the original tenant at any time within a period of two years of the abandonment. Under the circumstances can we seriously believe that any sensible person will part with his hard-earned money for so doubtful and risky a transaction.

My Lord, I hope I have been able to show that the fears of Mr. Beatson Bell are entirely baseless. But assuming that he is right and we the zamindars are a set of unscrupulous people, I frankly ask the Member in-charge will this restriction be at all effective? When all parties are agreed, are there not a thousand and one ways by which they can secure the desired end? By previous arrangement, cannot the zamindar auction-purchase the aboriginal's holding in execution of a rent decree and then settle it with the desired party? I think that this is a much safer plan than the so-called surrenders and resettlements so much feared by Mr. Beatson Bell.

My Lord, it will thus be seen that while this provision of the Bill proposes to take away a long-enjoyed privilege from the zamindars, the benefit it intends to confer is practically nil.

In this connection I should also like to point out that all non-officials consulted on this subject have objected to this intrusion on our vested rights. Even some of the very highly placed Government officials consulted have admitted the impropriety of the proposed interference with our rights.

The District Judge of Birbhum says :—

'In my judgment this is a most important innovation proposed. I ind that nearly all the subordinate officers whom I consulted are against the roposed innovation. They are of opinion that the landlords' powers of esettlement should be left unfettered.'

The District Judge of Midnapore says :—

'This is a serious encroachment on a landlord's liberty of contract, and s I have already indicated, I am of opinion that there is no justification for t in a district where the aboriginals whom it is intended to protect have no nherent rights, so to speak, in the soil.'

The Commissioner of the Burdwan Division says :—

'Strong objection is taken to the curtailment of the landlord's right to ettle abandoned holdings. Mr. Boyle points out that Sonthals very often bandon a village entirely owing to the death of a leader or some superstition nd may desert their villages never to return, and if permission to resettle hese holdings is to be obtained from the Collector, the time of the Collector nd the landlord would be wasted and the aboriginal tenants would be put o unnecessary expense.'

My Lord, let me also quote what two of the premier zamindary associa-ions of the country say on this subject.

The Secretary of the British Indian Association writes :—

'My Committee beg leave to point out that section 49J introduces a ew element, in that it gives power to the Collector to interfere with the ested rights of zamindars. Under the Permanent Settlement the latter ave the undoubted right to settle the land in the best way they can, and here is no restriction put on this right. This principle has been recognised and nfirmed in all legislation subsequent to the Permanent Settlement relating landlords and tenants; and as the proposed clause will be a direct viola-tion thereof, my Committee cannot too earnestly pray for its omission from the Bill.'

The Secretary of the North Bengal Zamindars' Association writes —

'Section 49J of the Bill puts vexatious and unwarranted restraint on the free-will and judgment of the landlords and imposes on them an obligation which is hardly compatible with their permanent proprietary right; as such this section should be omitted altogether.'

My Lord, in view of the opinions expressed above may I not hope that our vested rights will be properly respected and not lightly set at naught as proposed.

My Lord, in dealing with the aboriginals every care should be taken to protect them from unscrupulous persons, but zamindar's aid and not his discontent should be sought to effect this. If any undue restriction is put on the zamindars it is the aboriginals who will suffer most. No zamindar in that case will dare settle lands directly with the aboriginals. The only result of this interference with our rights would be that in future the poor aboriginals, instead of securing occupancy rights under us, will have to remain satisfied with the inferior and insecure position of under-tenants of our creatures whom we will be forced to set up as an intermediary between us and the aboriginals. My Lord, I have not concealed any facts, I have been plain and clear on every point and now I hope that the Hon'ble Member in charge of this Bill will realise the situation and be kind enough to accept my amendment."

The Hon'ble Mr. Cumming said :—

"Sir, I fully admit that this is an important innovation. It is alleged that the vested interests of the zamindar are in danger. Those who have framed this Bill have no desire to affect injuriously the vested interests of the zamindars, but there are some zamindars who are also money-lenders. The zamindars as a rule prefer Sonthal tenants, and the two representatives of the landlord community who were on the Select Committee and who had also Sonthal tenants considered that this amendment in its present form was a suitable one. The genesis of it is as follows :—

Mr. McAlpin from the beginning said that something should be done to prevent collusive surrenders. It was found then that in Chota Nagpur no action had been taken to meet this. The Chota Nagpur officers have reported to their Government that there is a defect here and that when the law is next amended, provision should be made on the lines of the clause as it stands in the Bill. That is why in drafting this Bill it has been determined to legislate against collusive surrenders. The Hon'ble Member has raised a point that such legislation does not exist anywhere else in India. I think, Sir, he is under a misapprehension, because in section 36 of the Central Provinces Tenancy Act provision has been made so that a heir of a raiyat who has surrendered his holding may apply to the revenue officer within two years to have him placed in possession of his holding. That is the same principle which we desire to enforce here. On these grounds, Sir, that it is to meet a definite evil and that there is an analogy for it in another Act dealing with similar circumstances, I think that the clause should stand as it is in the present Bill before the Council."

The Hon'ble Mr. Bompas said :—

"My Lord, I do not think it is necessary to go so far as the Hon'ble Mr. Cumming to find a precedent for the provision which it is proposed to

Mr. Bompas.

introduce into the Act. In the Sonthal Parganas, since 1872, the landlords have not been allowed to exercise the right of settling abandoned holdings; that right, in the interests of the village communities, was transferred to village headmen. The Sonthal Parganas were recently under this Government with its seat in Calcutta and a great part of the district consists of permanently-settled zamindari. That is a distinct precedent for controlling the power of resettlement of abandoned holdings. I think that the Hon'ble Members will not have any difficulty in supporting the clause, as it stands, if they have clearly realised the object of the legislation embodied in this Bill. We have a community of aborigines which originally had a strong village system, and it is found that the members of this community are losing their lands and that the communal system is being broken up. To remedy that state of affairs, two courses are possible: you may protect the individual against himself, or you may ignore the individual and look solely to the interests of the community. This Bill is to some extent a double-barrelled Bill and aims at both objects. When it forbids an individual aboriginal to mortgage his land for more than seven years even to another aboriginal, it is protecting the individual against himself; when the Bill forbids an aboriginal to sell or give his land to a fellow aboriginal it is restricting the liberty of the individual in the interests of the individual himself. There is another course which is primarily the object of this Bill, as is seen from the fact that it forms an amendment to the Bengal Tenancy Act, and that is to look to the interests of the community and protect the community against invasion from outside. The original system of tenure prevailing among the Sonthals is the communal system. The village community under its headman is responsible for the payment of rent of the village and within the village the headman is supreme. That is a rational system of land tenures and unfortunately as it is found in few parts of Bengal it is totally outside the purview of the Bengal Tenancy Act; it is not recognised by our Rent Law at all. In this amendment of the Bengal Tenancy Act there is sufficient recognition of it inasmuch as this provision is intended to prevent an encroachment on the rights of village communities and the breaking up of village communities. A Sonthal village is a self-contained unit. The village has its headman, its priest and its village messenger. Its numerous village festivals and ceremonies are all carried out as a community, and as a community the Sonthals are fairly strong; taken as an individual his want of intelligence makes him an easy prey to more intelligent people. The only hope of keeping these people as fairly self-respecting independent members of society is obviously by maintaining the village communal system. You have a village of Sonthals and if you introduce into it a number of people of other castes of superior intellect and superior ability such people will not take any part in the village life; they will not be subordinate to the village headmen. They gradually increase their holdings and in the course of a few years your village community comes to an end. It is sufficiently apparent that once that process has set in, the only end is that the aborigines become landless labourers. Now this Bill prevents the transfer, except with the consent of the Collector, of aboriginal holdings to non-aboriginals, but it is found by experience that is not sufficient. I speak from experience. I was Deputy Commissioner of the Sonthal Parganas for six years; and during the whole of that period settlement operations were in progress. In the course of these operations full statistics were obtained of the manner in which holdings were alienated from aboriginals to non-aboriginals, and it were found that the greatest percentage of objectionable alienations took the form of resettlement with the consent of the village headmen or the zamindar's agent. That is natural. If a raiyat is entering into an invalid contract, it is almost certain that he must obtain the consent of the zamindar's agent or of the village headman, where it exists. When there is an obvious way of evading the provisions of the Bill that an aboriginal may not transfer his holding by making a collusive abandonment it is necessary to provide against such evasion and that is done by providing that in resettlements, sales or in other formal transfers, a fellow aboriginal shall have a prior right to take the abandoned holding; and it is

only by such a provision as far as I know and as far as my experience goes that you can maintain the integrity of the village community."

The Hon'ble KUMAR SHIB SHEKARESHWAR RAY said —

"My Lord, it is surely not a good argument that because some people act in a suspicious manner all people must be suspected. In fact one can only rely on this argument when a large number of people act in a suspicious manner. I do not think that the Hon'ble Mr. Cumming has been able to show that a large number of zamindars act in this manner, and so, until he can show that, I do not think he can reject my amendment

Then, again, he has referred to the provision in the Central Provinces Act We have got a similar provision in section 87 of the Bengal Tenancy Act— 'If a raiyat voluntarily abandons his residence without notice to his landlord, and without arranging for payment of his rent as it falls due, and ceases to cultivate his holding either by himself or by some other person, the landlord may, at any time after the expiration of the agricultural year in which the raiyat so abandons and ceases to cultivate, enter on the holding, and let it to another tenant or take it into cultivation himself'..... 'When a landlord enters under this section, the raiyat shall be entitled to institute a suit for recovery of possession of the land at any time not later than the expiration of two years, or, in the case of a non-occupancy raiyat, six months from the date of the publication of the notice, and thereupon the Court may, on being satisfied that the raiyat did not voluntarily abandon his holding, order recovery of possession on such terms, if any, with respect to compensation to persons injured and payment of arrears of rent as to the Court may seem just'

Especially, in view of the further amendment that has been proposed by the Hon'ble Mr. Cumming himself, I do not think that there is any necessity for encroaching upon our rights. This amendment which is amendment 25, says :—'If any person, who is not an aboriginal, obtains or retains possession of any tenancy or portion thereof in contravention of the provisions of sub-section (*1*), such person shall, for the purposes of section 1911, be deemed to be a transferee, and the Collector may take action, so far as may be, in accordance with the provisions of that section.' As Mr. Cumming is going to move this amendment, I take it that it will be passed, in that case when the Collector comes to know that any so-called abandoned holding has been conveyed collusively, he may take steps under this section So the real interests of the aboriginal tenants, that Mr. Bompas has referred to, will be amply safeguarded. Is there any force in the argument that land once held by an aboriginal should be always held by an aboriginal? They are after all, as far as the non-aboriginal districts are concerned, only emigrants and as such what right have they to a preferential claim on a plot of land even if it has been abandoned by an aboriginal? I do not think they can have any preferential claim.

I think I shall have to ask for a division, and before resuming my seat I should like to appeal to my non-official European colleagues here that if they feel convinced by my arguments, they should not be deterred from voting in my favour solely on the ground that they belong to the Government party. There is no party in this Council. This Council is only an Advisory Board. We may succeed or fail in carrying a motion, but it does not affect the Government in the least, because our opinions are only a kind of recommendation to the Government. So under these circumstances it is rather the duty of everybody to vote as he thinks proper."

A division was then taken with the following result :—

Ayes—14

The Hon'ble Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishore Ray Chaudhuri
" " Mr Arun Chandra Singha.
" " Dr. Deba Prasad Sarbadhikari, C.I.E.
" " Rai Radha Charan Pal Bahadur.
" " Maulvi Abul Kasem.
" " Mr. Ashraf Ali Khan Bahadur.
" " Maulvi A. K. Fazl-ul-Haq.
" " Babu Bhabendra Chandra Ray.
" " Rai Sri Nath Ray Bahadur
" " Babu Surendra Nath Ray.
" " Mr K. B. Dutt.
" " Babu Kishori Mohan Chaudhuri.
" " " Ambika Charan Mazumdar

Noes—25.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " " Satyendra Prasanna Sinha, KT
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Surgeon-General W. R. Edwards, C.B., C.M.G.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " " J. H Kerr, C.S.I., C.I.E.
" " " J. Donald.
" " " L. S. S. O'Malley.
" " " F. A. A. Cowley.
" " " C. H. Bompas.
" " " W. C. Wordsworth.
" " " C. F. Payne.
" " " E. B H. Panton.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " Dr. Nilratan Sarkar.
" " Mr. J. Mackenzie.
" " " W. H. H. Arden-Wood, C.I.E
" " " Aminur Rahman.
" " " F. W. Carter, C.I.E.
" " Sir A. Birkmyre, KT.
" " Mr. E. B. Eden.
" " Khan Sahib Aman Ali.
" " Mr. Altaf Ali.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Mahendra Nath Ray, C.I.E

The following members abstained from voting :—

The Hon'ble Raja Hrishikesh Laha, C.I.E.
" " Mr. Provash Chunder Mitter.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Rai Debender Chunder Ghose Bahadur.
" " Mr. E. A. Martin.

The following members were absent :—

The Hon'ble Mr. T. C. P. Gibbons.
" " Ihtisham-ul-Mulk Rais-ud-Daula Amir-ul-Omrah Nawab Sir Asif Qadr Saiyid Wasif Ali Mirza Khan Bahadur Mahabat Jang, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Mr. R. Glen.
" " " H. R. A. Irwin.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Babu Akhil Chandra Datta.

The ayes being 14 and the noes 25, the motion was lost.

The Council adjourned at this stage for an hour for lunch.

After Lunch.

(Amendments No. XXII.)

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved that the words "retain it in his own possession", in lines 3 and 4 of clause (*ii*) of sub-section (*1*) of section 49J be omitted, and the following be added after that clause, namely :—

"(*iii*) retain it in his own possession".

He said :—

"This motion deals with the question of the settlement of land when it is vested in the zamindar on account of a void transfer, or when it is vested in him owing to surrender of land. In this case a zamindar may first of all settle the tenancy or a portion thereof with an aboriginal. He can do it

without any reference to anybody, and in the second place, with the approval of the Collector in writing, he can settle it with a non-aboriginal, and then it is said that he can retain it in his own possession. So that as the section stands, the power of the landlord to retain the land in his own possession is also subject to the approval of the Collector. My contention is that we have made sufficient encroachment on the rights of the landlord, and we need not encroach further. In the first place, when the right of settlement comes to him, he may settle with an aboriginal, that is all right. In the second place, if he does not want to settle with an aboriginal he is made to take the sanction of the Collector. But I do not understand why he should not be permitted to retain the land in his own possession when he fails to settle it with a non-aboriginal. It may be argued that if the landlord is allowed to retain the land in his own possession, without the intervention of the Collector, he may avoid settling it with any tenant, whether aboriginal or non-aboriginal. My contention is this, that the landlord should not be debarred from dealing with his land, if he is a landlord, even to the extent of keeping the land in his own possession without the sanction of the Collector. Landlords of course are considered to be very rack-renting and so forth. My Lord, I am not one of those big zamindars who need complain about this provision, but I think in justice to them, we ought not to be very hard upon them. They are not in fact such unscrupulous people as they are supposed to be. They are very good people, when they have to establish schools and colleges, and when they have to found charitable institutions they are very useful as collecting agents of Government; they have to pay very heavy Government revenue, whether they realise their rent or not; they have to pay the cess demand due from the tenants even before they can realise 50 per cent. of it from the tenants themselves. I think under these circumstances, it is not a wise policy to kill the goose that lays the golden eggs. Therefore, I wish to take the words 'retain in his own possession' from sub-clause (2) and make it an independent sub-sectional clause. Three things are open to the landlord, first he will have to settle with an aboriginal, and in the second place if he wants to settle it with a non-aboriginal he will have to go to the Collector who will have an opportunity of seeing whether it was not possible for him to settle with an aboriginal tenant, and in the third place, if he does not want to settle with an aboriginal or non-aboriginal, he may keep it in his own possession. I do not see why you should compel him to ask the Collector's permission if he wants to keep such lands which have been surrendered by a tenant, in his own possession. I think that this clause ought to be taken out and made an independent clause so that it may not be affected by any approval or disapproval of the Collector."

The Hon'ble Mr. Cumming said :—

"Sir, the Hon'ble Member desires that if the landlord retains the tenancy in his own possession he should not require the approval of the Collector in writing; and by way of argument he says that we, that is to say, the Council, have already sufficiently encroached upon the rights and privileges of zamindars. I think the Hon'ble Member overlooks again what the object of the Bill is. The object of this Bill is, as far as possible, to keep the lands in the hands of the Sonthals. Now, as regards landlords, there are two classes. There are those who are not money-lenders and who always like Sonthals as tenants and there are those who are money-lenders. As regards the landlords who are not money-lenders, they have no objection to this; they are quite agreeable that the Collector should have a say in the matter. The landlords who are money-lenders naturally object to this proposal, but it is precisely against the money-lender landlords that we wish to legislate. Therefore, it is highly desirable that the Collector should have an opportunity of approving the case in which the landlord desires to retain the tenancy in his own possession. The Hon'ble Member has spoken as if nothing has been

done, no concession has been made; as if no consideration of the interests of the landlords has been taken at all. But he should realise that in the Select Committee, sub-clause (*b*) (*2*) of clause 49H was very materially altered; and it was laid down that the landlord had one year in which to exercise his right of settlement, and that the Collector on his part should exercise his right within six months. These are two material concessions that have been made to the landlord. I, therefore, think, Sir, that either on general grounds or particular grounds, there is no reason for altering 49J as it stands in the Bill at present."

A division was then taken with the following result :—

Ayes—16.

The Hon'ble Dr. Nilratan Sarkar.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. Provash Chunder Mitter.
" " Sir Bijay Chand Mahatab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishore Ray Chaudhuri.
" " Dr. Deba Prasad Sarbadhikari, C.I.E.
" " Rai Debender Chunder Ghose Bahadur.
" " Mr. Ashraf Ali Khan Chaudhuri.
" " Babu Bhabendra Chunder Ray.
" " Mr. Altaf Ali.
" " Rai Sri Nath Ray Bahadur.
" " " Mahendra Chandra Mitra Bahadur.
" " Babu Surendra Nath Ray.
" " " Kishori Mohan Chaudhuri.
" " " Ambika Charan Mazumdar.

Noes—23.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " " Satyendra Prasanna Sinha, K.C.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Surgeon-General W. R. Edwards, C.B., C.M.G.
" " Mr. C. J. Stevenson Moore, C.V.O.
" " " J. H. Kerr, C.S.I., C.I.E.
" " " J. Donald.
" " " L. S. S. O'Malley.
" " " F. A. A. Cowley.
" " " C. H. Bompas.
" " " W. C. Wordsworth.
" " " C. F. Payne.
" " " E. B. H. Panton.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " Mr. J. Mackenzie.
" " " W. H. H. Arden-Wood, C.I.E.
" " " Ammur Raghavan.
" " " F. W. Carter, C.I.E.
" " Sir A. Bukmyre, K.C.
" " Mr. E. B. Eden.
" " " E. A. Martin.
" " Maulvi Abul Kasem.
" " Babu Mahendra Nath Ray, C.I.E.

The following members were absent :—

The Hon'ble Mr. T. C. P. Gibbons.
" " Ihrisham-ul-Mulk Rais-ud-Daula Amir-ul-Omrah Nawab Sir Asif Qadr Saiyid Wasif Ali Mirza Khan Bahadur Mahabat Jang, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Mr. R. Glen.
" " " Arun Chandra Singha.
" " Rai Radha Charan Pal Bahadur.
" " Mr. H. R. A. Irwin.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Maulvi A. K. Fazl-ul-Haq.
" " Khan Sahib Amau Ali.
" " Babu Akhil Chandra Datta.
" " Mr. K. B. Dutt.

The ayes being 16 and the noes 23, the motion was lost.

(Amendments Nos. XXIII and XXIV.)

The Hon'ble MR. CUMMING moved that after the word "possession", at the end of clause (*ii*) of sub-section (*1*) of section 49J, the following be added, namely :—

"Provided that such approval shall not be withheld if the Collector is satisfied that the surrender or abandonment referred to in this sub-section is not made with the object of evading the provisions of sections 49B, 49E or 49F."

The President; Mr. Cumming; Kumar Shib Shekhareswar Ray, Maharajadhiraja Bahadur of Burdwan.

He said :—

"Sir, it will be observed that the Hon'ble Kumar Shib Shekhareshwar Ray has tabled an amendment, the purport of which is that if the surrender is *bonâ fide*, approval should always be given. As the prime object of the drafting of this clause is to legislate against *mala fide* surrenders, I am prepared to suggest to the Council that a proviso be inserted in the terms which I have read. I wish that the Collector should be satisfied that the surrender is not made for the object of defeating any of the principles of the Act. I, therefore, move the amendment which stands in my name."

The PRESIDENT said :—

"The Hon'ble Member (Kumar Shib Shekhareswar Ray) understands that if this amendment is carried, he will not be able to move his amendment (No. XXIV)."

The motion was put and agreed to. The following amendment was then held to be withdrawn :—

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY to move that the following be added at the end of sub-section (*1*) of section 49J, namely :—

"Provided that such approval shall always be given if the surrender or abandonment referred to in this sub-section is made *bonâ fide*."

(Amendment No. XXV.)

The Hon'ble MR. CUMMING moved that for sub-section (*2*) of section 49J, the following be substituted, namely :—

"(*2*) If any person, who is not an aboriginal, obtains or retains possession of any tenancy or portion thereof in contravention of the provisions of sub-section (*1*), such person shall, for the purposes of section 49H, be deemed to be a transferee, and the Collector may take action, so far as may be, in accordance with the provisions of that section."

He said :—

"It will be observed, Sir, that this is an amplification of sub-clause (*2*) of section 49J, as it stands in the Bill before the Council, and the reason for this amplification is as follows :—

The Bill, as it stands, does not make it clear that the Collector can, on his own motion or on the motion of the landlord, turn out a money-lender who has managed to obtain possession by a collusive transaction with the landlord. Sir, it struck me, after the Bill had proceeded from the Select Committee, that there was a defect here; and after consideration this amendment has been drafted for the purpose of meeting that defect, *namely*, of turning out a money-lender who came into possession by a collusive abandonment.

It will be observed that he is called a transferee and reference is made to section 49H, under which the Collector can take certain action as regards eviction. I, therefore, recommend, Sir, this sub-clause in its revised form for the acceptance of the Council."

The Hon'ble MAHARAJADHIRAJA BAHADUR of Burdwan said :—

"My Lord, I was a member of the Select Committee and I wish to draw your Lordship's attention to the fact that had the amendment which the Hon'ble Mr. Cumming has just moved, been moved or discussed in the form in which it is now proposed, some of us would have opposed it. In his desire

to keep out the money-lenders, Mr. Cumming seems to overlook the fact that in this section we have been trying to give a little more free hand to the landlord who is after all the real proprietor and in his desire to keep out the money-lender, if the money-lender happens to be the zamindar himself, he will have to suffer because he lent the money to the aboriginal tenant. I prefer the wording of the section, as it stood and as it was passed by the Select Committee; and I, therefore, oppose this motion."

The Hon'ble MR. P. C. MITTER, said :—

"My Lord, I am sorry to have to oppose the amendment proposed by Mr. Cumming. The Council will observe that under section 49J, as it now stands, if this settlement with the tenant is in contravention of the provisions of sub-section (*1*), the Collector may take action, so ordinarily that ought to be sufficient. Now, the Council will also observe in the amendment proposed by the Hon'ble Mr. Cumming that no time-limit is mentioned. In the ordinary course, this will come under section 49H, sub-section (*2*) (*b*), and under clause (*b*) it will be observed that if the zamindar settles within one year, well and good, if not, the Collector may within six months settle the land on behalf of the landlord. This amendment wants to get rid of a suspicious settlement, therefore, in the amendment as it stands, there is nothing to prevent the Collector getting rid of such a settlement after 10 years. Some time-limit ought to be mentioned. There is another point which would appear, and that is in case of civil settlements, the person settling has to take the sanction of the Collector. If he has not, then clause (*2*) of section 49J will make such settlement a bad one. Therefore, Sir, from that point of view, the amendment seems to me to be unnecessary."

A division was then taken with the following result :—

Ayes—16.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " " Satyendra Prasanna Sinha, KT.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Surgeon-General W. R. Edwards, C.B., C.M.G.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " " J. H. Kerr, C.S.I., C.I.E.
" " " J. Donald.
" " " L. S. S. O'Malley.
" " " F. A. A. Cowley.
" " " C. H. Bompas.
" " " W. C. Wordsworth.
" " " C. F. Payne.
" " " E. B. H. Panton.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " Mr. Aminur Rahaman.
" " " Altaf Ali.

Noes—21.

The Hon'ble Dr. Nilratan Sarkar.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. Provash Chunder Mitter.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishore Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " Dr. Deba Prasad Sarbadhikari, C.I.E.
" " Rai Debender Chunder Ghose Bahadur.
" " " Radha Charan Pal Bahadur.
" " Mr. F. W. Carter, C.I.E.
" " Maulvi Abul Kasem.
" " Mr. M. Ashraf Ali Khan Chaudhuri.
" " Maulvi A. K. Fazl ul-Haq.
" " Khan Sahib Aman Ali.
" " Babu Bhabendra Chandra Ray.
" " Rai Sri Nath Ray Bahadur.
" " " Mahendra Chandra Mitra Bahadur.
" " Babu Surendra Nath Ray.
" " " Kishori Mohan Chaudhuri.
" " " Ambika Charan Mazumdar.

The following members abstained from voting :—

The Hon'ble Mr. J. Mackenzie.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Sir A. Birkmyre, KT.
" " Mr. E. B. Eden.
" " Mr. E. A. Martin.
" " Babu Mahendra Nath Ray, C.I.E.

Babu Kishori Mohan Chaudhuri: Mr. Cumming.

The following members were absent :—

The Hon'ble Mr. T. C. P. Gibbons.
The Hon'ble Ihtisham-ul-Mulk Rais-ud-Daula Amir-ul-Omrah Nawab Sir Asif Qadr Saiyid Wasif Ali Mirza Khan Bahadur Mahabat Jang, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad
The Hon'ble Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Mr. R. Glen.
" " Mr. H. R. A. Irwin.
" " Dr. Abdulla-al-Mamun Suhrawardy.
" " Babu Akhil Chandra Datta.
" " Mr. K. B. Dutt.

The ayes being 16 and the noes 21, the motion was lost

(Amendment No. XXVI.)

The Hon'ble BABU KISHORI MOHAN CHAUDHURI, with the approval of the President, withdrew the following amendment which stood in his name, viz.:—

"that before the decree, in line 2 of proviso (*b*) to section 49K, the words '*bonâ fide*' be inserted."

(Amendment No. XXVII.)

The Hon'ble MR. CUMMING moved that in line 4 of proviso (*b*) to section 49K, before the word "contract" the words "*bonâ fide*" be inserted.

He said :—

"The reason for this amendment is the desire to meet the point raised by the Hon'ble Member who has just spoken, and I presume that, because I am moving this, he has agreed to withdraw his amendment."

The motion was put and agreed to.

(Amendment No. XXVIII.)

Proposed Section 49K.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved that for the words "any contract" in line 4 of proviso (*b*) to section 49K, the words "any *bonâ fide* contract or transfer" be substituted.

He said :—

"I propose that in line 4 of proviso (*b*) to section 49K, the words 'any *bonâ fide* contract or transfer' be substituted. The only words I wish to add are 'or transfer'. If this is done, it will obviate the necessity of having section 49P. As far as I have been able to see 'transfer' is the only thing dealt with by that section. If '*bonâ fide* transfer' be added here along with 'contract', I do not think there will be any necessity to have section 49P. It is in that view that I propose to have the words 'or transfer' added."

The Hon'ble MR. CUMMING said :—

"Sir, in answer to the Hon'ble Member the reply that one would naturally make would be that provision is already made for this in section 49P at the end of the Bill. He, however, says that if the words 'or transfer' be included in clause 49K, the necessity for 49P will disappear. This, however, is a matter for technical drafting, and I am advised that it is desirable to keep the question of contract and transfer separate, and that is why there are two clauses; moreover, we have got precedents for that in the Chota Nagpur Act. I, therefore, oppose the amendment of the Hon'ble Member."

Babu Kishori Mohan Chaudhuri; Mr. Cumming; Mr. Ashraf Ali Khan Chaudhuri.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"If these two sections are retained separately, I have no objection. It is only for simplicity's sake, I urge this. If the Hon'ble Member thinks two sections should be kept separate, that can be done; I have no objection."

The motion was then, by leave of the President, withdrawn.

(Amendment No. XXIX.)

The Hon'ble BABU KISHORI MOHAN CHAUDHURI moved that for the figures "1916", in line 4 of clause (*i*) of proviso (*b*) to section 49K, the figures "1917" be substituted.

He said :—

"In this amendment my intention is that the clause should not be retrospective. And if it is made retrospective at all, it may be made so only with effect from the date or month in which this amended Bill was introduced. Therefore I propose that in place of the figures '1916' in line 4 of clause (*i*) of proviso (*b*) of section 49K, the figures '1917' be substituted. My object is not to make it retrospective and I do not think that any case has been made out necessitating its being made retrospective for a year. I hope the Council will take into consideration whether it should have retrospective effect. I hope my amendment will be accepted."

The Hon'ble MR. CUMMING said :—

"Sir, the Hon'ble Member says that no reason has been made out why this should be retrospective. I wish to point out to him and to the members of this Council that legislation for the Sonthals of the districts of Bankura, Birbhum and Midnapore has been pending since 1911. The draft was circulated in 1914 and it was known that such legislation might at any moment be undertaken. Again in 1916 another draft was circulated and therefore it was made quite clear that Government had the matter under their consideration. When the Bill was brought before the Select Committee in the form in which it was introduced in Council, the period was two years, but the Select Committee thought it right to reduce the term to one year, to which I, as member in charge of the Bill, was prepared to accede; and I do not think that it would be right to go any further. Those who know the area and the people concerned are aware that the Sonthals have been eagerly expecting legislation of this kind, and the people who have been dealing with the Sonthals have known for at least one year, I would go further and say two years, that they have been doing it at their peril. I therefore recommend to the Council that this amendment be not accepted."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"Very well Sir, after that explanation, I beg to withdraw my amendment."

The motion was then, by leave of the President, withdrawn.

(Amendment No. XXX.)

The Hon'ble MR. ASRAF ALI KHAN CHAUDHURI moved that clause (*b*)(*ii*) of section 49K, be omitted.

He said :—

"My Lord, this amendment is nearly the same as that moved by the Hon'ble Babu Kishori Mohan Chaudhuri. It is about the retrospective effect, but it does not concern the three districts of Bankura, Birbhum and Midnapore. It is about other districts to which this Bill will not apply at once. When the notification under section 49A will be published in the *Calcutta Gazette*, the Bill will apply. The transfer of land has been restricted by sale or by decree of Court. There are two provisos, one is that if the decree of the Court is for arrears of rent, then the decree for transfer is quite all right, or if there is a decree on account of the contract for sale, which

contract was made one year before the Act came into force. In the case of other castes and tribes also to which this chapter has been applied, this Bill will have effect from one year before the date of the publication of the notification under section 49A, sub-section (2), so it comes to this, that supposing after this Bill has been passed into law, after six months you publish the notification and if there is a transaction within one year then it becomes null and void. I do not know about the Eastern Bengal and Western Bengal, but in the Alipur Duars and Darjeeling districts there are many tea plantations. There, there are several landlords and tenants who have bought lands and put money into the improvement of the land ; they have erected machinery and put in a large amount of money. If this clause is kept then after the notification is made, all those transactions that have been made within one year, become null and void and all then money goes. It is for this reason I say that this ought to be amended. As regards Birbhum, Bankura and Midnapore I do not object to it, because it might be said that before the Bill had been circulated in all these districts, they might have known all about it, but in Northern Bengal and Eastern Bengal I believe that the people do not know much about it. There might have been some circulation amongst the Divisional Commissioners and Collectors and some people may know about it, but the ordinary public do not know much about it, and for this reason I say this clause should be omitted."

The Hon'ble MAULVI A. K. FAZL-UL-HAQ said :—

"My Lord, without entering into the merits of the controversy which has been raised by this amendment, I beg to point out to this Council that the accepted principle of legislation is that it should not interfere with rights already created. It is for this reason that whenever any amending Act is passed, care is taken not to make it retrospective, unless the exigencies of the moment require that the Act should take effect immediately or retrospectively. It is true, as the Hon'ble Member in charge of the Bill has pointed out, that sufficient notice has been given, by means of circulars and otherwise, that legislation on the lines intended was impending, but even then I should like to point out that it is very rarely that people can make out that although some sort of legislation might be pending, what would be the exact lines on which that legislation would be undertaken. That matter has been pointed out by the Hon'ble Mr. Ashraf Ali Khan Chaudhuri who said that there may be people who have, in spite of the fact that they knew that legislation was pending, spent money in the improvement of land which has somehow or other passed into their hands, and it will be a great hardship to them, if the Act is made retrospective so as to touch their interests. I should therefore heartily support this amendment."

The Hon'ble MR. CUMMING said :—

"Sir, the objections on theoretical grounds as explained in this amendment to the clause as drafted, namely, clause (*b*), sub-clause (*ii*), are greater than in the previous amendment, but at the same time I think that if the Council once appreciate the position of affairs, they must realise that there are good grounds for it. When the Bill was first drafted, the word 'aboriginal' was not even defined. In Select Committee it has been made clear, that it is intended to refer to the Sonthals of certain districts in the first instance, and then to certain other aboriginal tribes. At the present moment Government have no immediate intention of extending the Act, if it is passed into law, to any of these other aboriginals mentioned in clause 49K, but fair warning is now given to all those concerned that transfers of the nature contemplated in this Bill are not looked upon with favour by Government. I think, therefore, that if an undertaking be given that for a year from now no extension amongst other tribes will be made, then they will be in the same position as the landlords of the areas in which the Sonthals are. With this explanation I trust that the Hon'ble Member, who has raised this amendment, will not press it."

The Hon'ble Mr. ASHRAF ALI KHAN CHAUDHURI said :—

"My Lord, I am afraid I cannot accept what Mr. Cumming has said, for this reason, that no immediate intention of the Government to notify will be worse for the people because they will know that if an undertaking is given, it will not be published for at least one year. Prudent people or those who are educated will not have dealings with any land belonging to aboriginals, but what will happen in practice? The poor people, agriculturists, will enter into dealings as to these lands, and they will purchase it; you cannot alter their nature. When they know that it is not coming for some years, they will not stop or wait, they will go on buying lands. If it was passed into law at once, if there had been no retrospective effect, the Collector would come in and the dealings would become null and void. But the result of giving an undertaking would be a host of litigations and instead of these poor aboriginals being saved, they would be dragged into Court and they would lose all their money. That is the chief thing to which I should like to draw the attention of the Hon'ble Member in charge, and, it is for this reason, that I should like to oppose what Mr. Cumming has said."

A division was then taken with the following result :—

Ayes—20.

The Hon'ble Dr. Nilratan Sarkar.
" " Mr. J. Mackenzie.
" " " Aminur Rahaman.
" " " Provash Chunder Mitter.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Kumar Shib Shekhareswar Ray.
" " Babu Brojendra Kishore Ray Chaudhuri.
" " Mr. Arun Chandra Singha
" " Rai Debender Chunder Ghose Bahadur.
" " Rai Radha Charan Pal Bahadur.
" " Maulvi Abul Kasem
" " Mr. Ashraf Ali Khan Chaudhuri.
" " Maulvi A. K. Fazl-ul-Huq.
" " Khan Sahib Aman Ali.
" " Babu Bhabendra Chandra Ray.
" " Rai Sri Nath Ray Bahadur.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Surendra Nath Ray.
" " " Kishori Mohan Chaudhuri.
" " " Ambika Charan Mazumdar.

Noes—21.

His Excellency the President.
The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " " Satyendra Prasanna Sinha, KT.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Surgeon-General W. R. Edwards, C.B., C.M.G.
" " Mr. C. J. Stevenson-Moore, C.V.O.
" " J. H. Kerr, C.S.I., C.I.E.
" " Mr. J. Donald.
" " " L. S. S. O'Malley.
" " " F. A. A. Cowley.
" " " C. H. Bompas.
" " " W. C. Wordsworth.
" " " C. F. Payne.
" " " E. B. H. Panton.
" " Rai Priya Nath Mukharji Bahadur, I.S.O.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " " F. W. Carter, C.I.E.
" " Sir A. Birkmyre, KT.
" " Mr. E. B. Eden.
" " " E. A. Martin.
" " Babu Mahendra Nath Ray, C.I.E.

The following member abstained from voting :—

The Hon'ble Raja Hrishikesh Laha, C.I.E.

The following members were absent :—

The Hon'ble Mr. T. C. P. Gibbons.
" " Ihtisham-ul-Mulk Rais-ud-Daula Amir-ul-Omrah Nawab Sir Asif Qadr Saiyid Wasif Ali Mirza Khan Bahadur Mahabat Jang, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.
" " Sir Rajendra Nath Mookerjee, K.C.I.E.
" " Mr. R. Glen.
" " Dr. Deba Prasad Sarbadhikari, C.I.E.
" " Mr. H. R. A. Irwin.
" " Dr. Abdulla-ul-Mamun Suhrawardy.
" " Mr. Altaf 'Ali.
" " Babu Akhil Chandra Datta.
" " Mr. K. B. Dutt.

The ayes being 20 and the noes 21, the motion was lost.

Babu Kishori Mohan Chaudhuri; Rai Debender Chunder Ghose Bahadur; Mr. Cumming.

(Amendment No. XXXI.)

The Hon'ble BABU KISHORI MOHAN CHAUDHURI withdrew the following amendment which stood in his name, namely :—

"That the words 'at least one year', in line 3 of clause (*ii*) of proviso (*b*) to section 49K be omitted."

(Amendment No. XXXII.)

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR moved that clause (*c*) of the proviso to section 49K, be omitted.

He said :—

"My Lord, my amendment refers to section 49K, the first part of which runs thus :—'Notwithstanding anything in this Act, no decree or order shall be passed by any Court for the sale of the right of an aboriginal tenure-holder.' Then comes the proviso which says : 'That if the landlord gets a decree for arrears of rent, he will have the right to sell it up.' and then comes clause (*c*) of the proviso, which says : 'Nothing in this section shall affect any right for the sale of any such tenure or holding for the recovery of any dues which are recoverable as public demands.'

Now as an ordinary person having a claim for damages or having an unsecured debt, will not be able to sell the land of an aboriginal, he is deprived of the ordinary rights of the creditor. But it is provided in the last part of the section that this embargo or this prohibition of the usual course by a creditor will not apply in the case of a proceeding for the recovery of any dues as public demands. That means that if there be a certificate under the Public Demands Recovery Act the person in whose favour the certificate is passed will be able to sell the right of an aboriginal tenure-holder, raiyat or under-raiyat in his tenure or holding. It puts the holder of the certificate of public demands in an exceptional position, and there is nothing to justify this exceptional position of the holder of a certificate for public demands. I am aware that in such proceedings the Crown has priority for the realization of its dues, but others are not prevented from adopting the same course as the Crown adopts for the realisation of its dues, but by this Bill you tell the general public that you are entitled to a sum of money as a debt due by an aboriginal, the debt is not an arrear of rent, you have no remedy except to attach his person, but you tell the Collector to pass a certificate for public demands, and you will be able to recover whatever you want under your certificate from the aboriginal. The Collector who has been so very tender to the aboriginal is given a free hand to sell up the landed property of the aboriginal for the recovery of the public demand. I do not know whether many members are aware that by the certifiate procedure you can recover all sorts of things if it is a thing due to the State, the Government or to the Court of Wards or to the proprietor of an attached estate. Therefore you not only place Government in an exceptional position, but persons coming under the Court of Wards. Many extravagant and improvident men are wards of court and the estates of many such persons are attached and kept under the control of the Collector, and they will have the benefit of recovering their money like ordinary creditors and not placed in the same position as an ordinary creditor against an aboriginal under this Act. I do not think that this is evenhanded justice or fair treatment. If you do really feel for the aboriginal why then expel him from his lands if he has not paid up his certificate demands."

The Hon'ble MR. CUMMING said :—

"Sir, there is a superficial equity about the remarks of the Hon'ble Member, but I do not think he fully realizes that in the first place the Crown should have and has absolute priority, and in the second place by the balancing of sub-clause (*a*) and sub-section (*c*) it will be seen that the dues of landlords

and the demands of the general taxpayer are being placed on an equal footing. If the Hon'ble Member were strictly logical, he should also propose that sub-clause (*a*) should not also form part of the Bill, and I do not think he proposes to do that. The Bill, as it stands safeguarding the dues of the landlord and the dues of the general tax-payer, is, I think, fair. For this ground, Sir, I oppose the amendment."

The motion was then put and lost.

(Amendment No. XXXIII.)

Proposed section 49L.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved that after the words " reasonable time ", in line 7 of section 49L, the words " not exceeding three months in all " be inserted.

He said :—

" My Lord, it will be remembered that in the original Bill it was proposed to take away the power of the civil court in executing decrees against aboriginals. This was opposed in the Select Committee and it has been stated that the civil courts would be in a position to execute decrees for rent against aboriginal tenants, but it has been provided that the courts should give reasonable time to the debtor in order to pay off his debt. No time-limit has been fixed, and I consider it to be a very great hardship on the landlords just to hang on for the recovery of his rent for an indefinite period even when he has obtained a decree. In fact, up to the decree, it is an easy process. The difficulty of the landlord really begins after the decree has been obtained, and if it is left entirely to the discretion of the court to grant time to the judgment-debtor, in such cases, without any time limit, the decree may not be executed for a long time, say for six months or a year, and we ought to consider the position of the landlord. In this case it is a one-sided piece of legislation, but at the same time we must not forget that in showing our sympathies for the aboriginal, we should not be very harsh upon the landlord decree-holders. Therefore I propose that there should be a limit to the discretion of the court in granting time, and that it ought not to exceed three months. There may be a judgment-debtor against whom the landlord has got a decree for rent and he comes to court and says ' I shall pay you say within two or three years.' So let us have some limit not exceeding three months, and not keep the decree-holder hanging on for an indefinite period entirely at the discretion of the court ; this is not fair nor just."

The Hon'ble MR. CUMMING said :—

" Sir, the argument of the Hon'ble Member amounts to this, that if you give one concession, that is an argument for giving another. The Hon'ble Member has rightly pointed out that the clause in the original draft to which many took exception outside this Council has been modified and the terms of 49L as now drafted simply indicate to the court that reasonable time should be given. I think, in other circumstances, the Hon'ble Member would ask whether the civil court could not be trusted to use their discretion properly. I do not really see, Sir, why in this particular case their discretion should be circumscribed, and I can easily conceive of circumstances in which a period of three months might not be reasonable. I, therefore, oppose the amendment."

The motion was then put and lost.

(Amendment No. XXXIV.)

Proposed section 49M.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved that in the proviso to sub-section (*2*) of section 49M, after the word " officer " in the second place where that word occurs, the words " or Court " be inserted.

Mr. Cumming; Rai Debender Chunder Ghose Bahadur; Babu Kishori Mohun Chaudhuri; Mr. Ashraf Ali Khan Chaudhuri.

He said :—

"In this section the power of revision is given to any officer whom the Local Government may appoint in that behalf. It may so happen that the officer whose order will be revised, will be the District Judge and in such cases power is generally given to the High Court to revise it. I do not think that the word 'officer' is sufficiently indicative of a tribunal like the High Court. Therefore, I suggest that after the word 'officer' the words 'or Court' may be inserted."

The Hon'ble Mr. Cumming said :—

"I am sorry, Sir, that I do not quite realise why the Hon'ble Member desires to introduce this. Let us consider what are the powers of the Collector under this Bill against which provision for appeal is made in clause 49M. There is the first, 49F, provision of transfer; there is next in 49H, provision for ejectment, and finally in 49J, there is approval of re-settlement. It is laid down in 49M, that appeals should lie against the order of the Collector of the district, and then in the sub-section to which the Hon'ble Member refers, provision is made that an appeal may lie to such officer as the Local Government may appoint. Surely, it is natural that the officer, who would be appointed, would be one who would be in the chain of which the Collector is one of the lower links. Therefore, on the ground that the addition is unnecessary, and to some extent meaningless, I oppose the amendment."

The motion was then put and lost.

(Amendment No. XXXV.)

Proposed Section 49O.

The Hon'ble Rai Debender Chunder Ghose Bahadur moved that after the words "shall lie", in line 2 of section 49O, the word "in any Civil Court", be inserted.

He said :—

"The amendment, my Lord, is really a verbal amendment and it does not go against the objects of the Bill, but to make the Bill more clear, section 49O runs thus: 'Notwithstanding anything in this Act, no suit shall lie to vary or set aside any order passed by the Collector in any proceeding under this chapter except on the ground of fraud or want of jurisdiction.' I would add the words 'in any Civil Court' after the words 'shall lie' as the expression 'Criminal suit' is to be found in English statutes."

The Hon'ble Mr. Cumming said :—

"I accept the amendment."

The motion was then put and agreed to.

(Amendment No. XXXVI.)

The Hon'ble Babu Kishori Mohun Chaudhuri withdrew the following amendment which stood in his name, namely :—

"That section 49P be omitted."

(Amendment No. XXXVII.)

The Hon'ble Mr. Ashraf Ali Khan Chaudhuri moved that clause (*b*) of section 49P be omitted.

He said :—

"My Lord, it is the same as the amendment I moved a few minutes ago on the retrospective effect of the whole chapter. My argument will be just the same as that in my previous motion. I have nothing particular to say, but as the Hon'ble Member in charge is going to meet me by giving me an undertaking that no publication will be made within one year, I would say then that if his intention is that no retrospective effect will be given in practice, why burden this Bill with more paragraphs?"

The Hon'ble MR. CUMMING said :—

"Sir, as regards the principle at stake I have nothing to add to what has already been said under clause 49K. As regards the burdening of the Bill to which the Hon'ble Member has alluded, I have already explained why, as a matter of drafting, sections 49K and 49P have been prepared separately. I, therefore, oppose the amendment."

The Hon'ble MR. ASHRAF ALI KHAN CHAUDHURI said :—

"Does the Hon'ble Member give an undertaking that it will not be notified within one year and state how that undertaking will be put into practice?"

The Hon'ble MR. CUMMING said :—

"Sir, obviously my remarks regarding the other case are equally applicable to this; and, as to how the undertaking will be carried out in practice, if an officer of Government speaking in this Council gives an undertaking, I do not think that his successor will repudiate it."

The motion was then, by leave of the President, withdrawn.

The Hon'ble MR. CUMMING moved that the Secretary be directed to renumber the clauses and sub-clauses of the Bill in consecutive order and make corresponding alterations in all cross references thereto.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY said :—

"My Lord, can a motion be made under rule 46 of the Business Rules now?"

The PRESIDENT said :—

"I think it would be better to dispose of this formal motion now. After that a ruling will be given on the point raised by the Hon'ble Member."

The motion was put and agreed to.

The PRESIDENT said :—

"The Hon'ble Member asks whether it is now possible to make a motion under rule 46 of the Business Rules. I understand that under clause (2) of rule 47, an Hon'ble Member desires to object to the motion that the Bill be passed be taken to-day. If that is so, the next stage of the Bill will be postponed to a further meeting of the Council, and it will then be in order for any Hon'ble Member to send in a motion under rule 46. Unless the objection is made to-day, I think the Hon'ble Member would not be in order in moving a motion under rule 46, because if he will turn to rule 21, he will find that the Member who wishes to make any original motion on a Bill, must either give notice of his intention at the next previous meeting, or send such notice to the Secretary ten days before the day of the meeting at which he intends to make the motion."

Babu Bhabendra Chandra Ray: The President: Mr. Cumming.

he Hon'ble BABU BHABENDRA CHANDRA RAY said :—

"My Lord, as certain amendments have been made, with your Excel-ncy's permission, I object to the Bill being passed to-day under Rule 47 (2 f the Business Rules of the Bengal Legislative Council (page 167 of the engal Council Manual). From the many amendments brought forward by ie Hon'ble mover in charge himself it is evident that the Bill was rushed rough the Select Committee and that proper attention was not paid to it. ome important changes, such as the enumeration of certain particular classes the Bill have substantially altered it and no reason according to Rule 37(2) f the Business Rules of the Bengal Legislative Council for inserting these rticular names have been stated.

My Lord, for all these reasons we want little more time to consider the ill in all its aspects and propose further amendment if necessary. My Lord, s the Bill is not of any urgency I hope your Lordship will be pleased not to xercise your extraordinary power of suspending the rules and to allow the ill to be passed to-day.

The Hon'ble Member in charge has said that I have taken advantage of is particular section only to delay the matter as a matter of fact."

he PRESIDENT said :—

"As I read rule 47 an objection on these grounds will be valid unless ie Hon'ble Member in charge can show any urgent reason why the Bill ould be proceeded with to-day. Before, however, passing a final order on at ruling, I would like the Hon'ble Member in charge of the Bill to show use, if he desires to do so, why the Bill should be proceeded with to-day."

'he Hon'ble MR. CUMMING said :—

"Sir, I was unaware until about half the amendments had been disposed f that the Hon'ble Member desired to make this objection. Undoubtedly e is in order as the rule of the Council lays down that the burden of proof hall be upon the member of Government to show that it is absolutely ecessary that the Bill should be proceeded with to-day. This Bill is not matter of life and death, but at the same time I should like the Hon'ble lembers to realize that this legislation has been asked for over 10 years, hat it has been the result of a special inquiry made by a very able officer the year 1909, and that it has been no less than three times circulated ll over the Province. I do think, therefore, that it is asking a great deal by aking advantage of this particular rule to move the Council not to pass the ill at this sitting. I cannot urge, however, that any untoward happening vill ensue if the Bill be not passed to-day. I may state that there are few ieces of legislation which have been so carefully considered and which have een the result of a very definite local demand as this one has been. All hose locally concerned, both officials and non-officials, Sonthals and non-onthals in the area concerned, are convinced that very prompt legislation f this nature is required; nay more, the Sonthals themselves are most nsistent on this point. Yes, they appeal to us 'do come and protect us', come over and help us'. If the members who represent the Indians in his Council think that their appeal should not be listened to, I have nothing ore to say. But I think that it is taking an unfair advantage of the power hat the rule gives to the Hon'ble Member."

'he PRESIDENT said :—

"Does the Hon'ble Member desire to press his objection?"

'he Hon'ble BABU BHABENDRA CHANDRA RAY said :—

"Yes, my Lord."

'he PRESIDENT said :—

"The next stage of the Bill will be taken in the January meeting of the Council."

THE BENGAL PUBLIC DEMANDS RECOVERY (AMENDMENT) BILL, 1917.

LIST OF BUSINESS—ITEMS Nos. 4 & 5.

The Hon'ble MR. CUMMING presented the Report of the Select Committee on the Bengal Public Demands Recovery (Amendment) Bill, 1917, and moved that the said Report be taken into consideration.

The motion was put and agreed to.

The Hon'ble MR. CUMMING also moved that the Bill be passed.

The motion was put and agreed to.

THE BENGAL PRIMARY EDUCATION BILL, 1917.

LIST OF BUSINESS—ITEMS Nos. 6 & 7.

The Hon'ble BABU SURENDRA NATH RAY moved for leave to introduce a Bill to provide for the extension of primary education in all municipalities in Bengal and in other selected areas in Bengal.

He said :—"My Lord, I beg leave to introduce my Bill for making primary education compulsory within the municipalities of this Presidency including the Municipality of Calcutta and to selected areas within the jurisdiction of the District Boards which have been constituted into Union Committees under section 38 of Bengal Act III of 1885. The question of compulsory primary education has been one of the most difficult questions for every civilised Government to deal with but we find that all civilised Governments have taken up the question as best as they can. With the progress of civilisation we feel the necessity of training the mind from the purely physical needs of the body and we can train the mind of the people by educating them. In these advanced times, when there is a keen struggle for existence, uncivilised and uneducated nations are bound to die out. We no longer hear of the Red Indians who at one time spread over the whole continent of America. Education can only enable a nation to survive the struggle for the fittest. If the masses of the Indian people do not see the light of education they also will in course of time cease to exist as a nation. But the masses cannot be educated in one day nor can they be expected to acquire the higher standard of education. The signs of the times indicate that unless early steps are taken to educate the masses of the people of India in however rudimentary a form they would not survive as a nation.

The masses may be roughly divided into two classes, viz., the agricultural class and the workmen or the labouring class. It is education which develops the faculties of men, helps them in the formation of regular habits, and these qualities count a great way in the future prospect both of the agricultural and workmen class. I want, however, to impress upon this Council that education in however rudimentary a form, *i.e.*, reading, writing, and arithmetic imparted to the masses will not only be a great help to them but also enable this country to hold its own in the near future in respect of agricultural and industrial development against foreign competition. It has been said that from 'the standpoint of the nation as a whole, as organised in the State, and, therefore, also from the standpoint of the monarchy, there can be no doubt that it is in its own interest that all national forces should be developed to their utmost capacity in order that they may the better subserve the ends of national self-preservation and self-realisation. As things now are in the civilised world a nation lagging behind in this respect is bound to be overtaken by its more energetic neighbours. For no one can entertain any doubt that in the great struggle for national dignity and power, those nations will be best able to hold their own which best look after the training and

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education of youth by insisting on a high standard of efficiency in the schools.' It is also necessary that the masses of the people should take their proper share in the political advancement of the country and for this reason some education is necessary. There can be no greater misconception than to suppose that 'the ignorance of the masses is the best guarantee for a firm Government'.

In ancient times the goal of education was to make the rising generation fit for the State. It was expected that the citizen would be able to help the State in times of peace and war when required and in fact apart from the State they would have no separate existence. This was also the idea pervading Plato's Republic where he brings in the question of Philosopher, King and the Community of men. In the Mediæval ages the dominating influence of the Church shaped the education of the times and it was considered that the object of education was to render the citizens fit for the Church, *i.e.*, for the eternal kingdom of God and the training was rather of religious and ecclesiastical character. In modern times, however, the interest of the individual has grown to be of more importance and to educate a man as a reasonable being free to determine his own life has grown to be the dominant ideal.

Education is now compulsory in most of the European countries. In England elementary education had no national importance till certain voluntary societies took up the work. It was the Society for Promoting Christian Knowledge which handed over its purely educational work to the National Society for promoting the Education of the poor in the Principles of the Established Church. It was in 1833 that the first Government grant of £20,000 was voted for education. In 1839 a Committee of the Privy Council was appointed to administer the education and thus originated the Education Department. By the Education Act of 1870 three new principles were introduced into educational legislation—a compulsory local rate, a representative local authority and compulsory attendance of children at school. School Boards were to be established where the school accommodation was insufficient, or where an application was made by the electors. Compulsory attendance could be enforced if the Board desired, but no provision was made for compulsion apart from School Boards which were not bound to include religion in their course of instruction. The Act of 1870, however, left full liberty to the schools attached to the several churches to give to their scholars the distinctive dogmatic teaching to which the managers attached special importance provided that the secular instruction should fill four-fifths of the day's exercises and should be thoroughly efficient. On these conditions the State recognised voluntary schools and made liberal grants for their maintenance. In consequence there was not a remote corner in England or Scotland where the inhabitants were not within reach of a public elementary school under Government inspection. A later Act in 1876 enforced it to be the duty of every parent to send his child to school between the ages of 5 and 14, forbade employment under that age except to those who procured a labour certificate and provided that indigent parents might claim from the guardians the payment of school-fees. In 1880 Mr. Mundella's Act established direct and universal compulsion, and empowered the local school authorities to enforce it. In 1891 Sir William Hart Dyke's Act practically abolished the payment of school-fees and thus threw upon the State the duty of compensating school managers for the loss of nearly two millions of annual revenue hitherto contributed by parents. A subsequent Act in 1896 provided a special aid-grant for the further relief of voluntary school managers. Later legislation during the administration of Lord Salisbury had the effect of altering materially the proportions in which the educational revenue is provided. In the year 1899-1900 the contribution from public sources including the grants from the Treasury and from the local taxation amounted to £11,106,735 out of a total expenditure of £12,336,986. These financial

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changes had not been without an important influence on the character of elementary education. It should be remembered that the department does not appoint or dismiss the teachers, nor pay them, nor recognise them as civil servants. The curriculum of instruction is largely in the hands of the local managers and from the first the main influence of the Education Department has been exercised through its methods of awarding grants to those bodies. In fact during many years the prime function of the department was not to direct education or to set up a national system but to distribute grant-in-aid of local effort, and to do this on a graduated scale under such conditions as would stimulate improvement and ensure to the nation a good educational return for its expenditure.

Education, specially primary education, has made great progress in Germany and France. In the beginning of the seventeenth century primary education was made compulsory in some of the smaller States of Germany and boys and girls between the ages of 6 and 12 were required to attend throughout the year except at harvest time. At first the enforcement of compulsory education met with serious obstacles in those countries partly owing to poverty and also because of the carelessness, indolence and obstinacy on the part of the parents. There were also difficulties in the way of introduction of compulsory education due to overcrowding of schools and the insufficient training of teachers. Besides public schools there was a very large number of private schools in the towns which seem to indicate that there was a demand for them. Although many of the primary schools of the century hardly deserve the name of educational institution compulsory school attendance paved the way for that uplifting of the masses which was accomplished in the nineteenth century. The general character of the period was marked by the steady progress of the masses and the spread of democratic spirit. The aristocracy had lost its former predominance. 'With the progress of commerce and manufactures personal property grew in extent and the middle classes attained legal and political equality. The Parliamentary representation of the people was, no doubt, originally intended to bestow on the well-to-do and educated middle classes, the influence which was their due. During the second half of the century a new movement began to make itself felt, the rise of a 'Fourth Estate'. With the rapid growth of large towns and capitalistic enterprise in the industrial world, with a steadily improving standard of life and education, these masses, *i.e.*, the labour party, constituting the political party of social democracy officially recognised as members of the political organism by the establishment of universal suffrage, have become an important factor of social and political life'.

It is said that in Germany the increasing prosperity of the training colleges and the primary schools was due to the earnest and elevating belief that it was a sacred duty to provide a proper training of youths, a true education of the whole people.

We find that in the United States education is highly prized, and next to primary it is here that the science of education is most widely studied. Each State makes its own educational arrangements, but there is a general uniformity of classification of the schools into elementary, secondary and University. Education is compulsory in some States but it is felt that the citizens appreciate education so highly that it is not necessary to enforce attendance at school.

I have given a brief history of the development of primary education in some of the countries of Europe and in the United States of America, which shows how education has developed in those countries.

The history of primary education in this country is not very clear. We had no doubt our seats of learning in Ancient India, but we do not know and are not in a position to say how far the masses of the people participated

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in education, or more correctly speaking primary education in the sense in which it is used now. The Permanent Settlement of 1793 recognised in perpetuity the rent-free grants of land enjoyed alike by the Sanskrit *tols* and Muhammadan *muktabs*. It was, however, during the administration of Lord William Bentinck that in the year 1835 there was a widespread enquiry in the then existing state of popular education. Mr. Adam who was placed in charge of the enquiry estimated the number of village schools and *pathsalas* at about 100,000 in Lower Bengal and he earnestly pleaded for the instruction of the people. We find, however, that no general effort was made to assist or improve the indigenous schools for a number of years. It was in 1853 that the 'Circle System' was introduced which had for its immediate aim the improvement of the indigenous schools and masters. We find from the Report of the Indian Education Commission of 1883 that in 1870-71, excluding the primary classes of secondary schools, there were in Bengal only 68,500 pupils in primary schools recognised by the Department, while in 1881-82 there were nearly 900,000. Still the proportion of public funds, including the term provincial, local and municipal funds, spent on primary education was by far the lowest in any province in India, being 13 per cent. less than in the Punjab, and 27 per cent. below Bombay.

That something has been done within recent years for the promotion of primary education cannot be gainsaid. But a great deal more ought to be done. 'We are all in agreement that primary education should be further extended' said by His Excellency the Viceroy at the last Conference of Public Instruction in January last.

I need hardly say that the state of primary education in this Presidency is far from being satisfactory. The total number of pupils attending primary schools on the 31st March, 1917, was 1,124,109, of those 550,806 were Hindus and 552,589 Muhammadans. The Hindus have now 32·7 per cent. of their boys of school-going age in primary institutions, and the Muhammadans 28·9 per cent. It is a matter of congratulation that the Muhammadans have made such progress and are running an equal race with their Hindu brethren.

I do not want to enter at present into the details of the financial side of the question. It is true there is a section in the Bill, section 17 (1) about the imposition of an 'Educational Cess', but the cess is to be imposed if the existing resources of the local body or any grant from Government are not sufficient to meet the cost of such primary education. I have provided in clause (5) of the section that 'whenever an education cess is levied within any area primary education shall be made free within that area'.

To impart education to the masses is the primary duty of Government. The people of this Presidency contribute very largely to the development of primary education. Even the Director of Public Instruction in his last report said 'What is imperatively needed, especially in the Presidency and Burdwan Divisions, is more schools of some stability. This can only be effected by much larger contributions from public funds. The pupils already contribute 56·3 per cent. of the funds. They cannot in fairness be asked to contribute more'. I need hardly say that we shall have to depend for the furtherance of primary education mainly upon the revenues of the country.

The municipalities of the Bombay Presidency are in receipt of handsome contributions from Government and for that reason they can very well afford to forego any help from Government for promoting primary education, but such is not the case with the municipalities of Bengal. In Bengal, primary education will not make any progress without material support from Government.

In the Bombay Act, primary education is sought to be made compulsory within the municipal area of the Bombay Presidency except that of the town

of Bombay itself. I want, however, to introduce the provisions of the Bill not only to what I may term mufassal municipal area, but also to the city of Calcutta and to Union Committees, because there are places which, though they have not been constituted as municipalities, are still centres of trade and are busy haunts of men and where the benefits of primary education may with advantage be introduced.

I have made this Bill applicable to 'boys' only and not to 'girls'.

In one of his addresses on Education and Empire, the Right Hon'ble Mr. Haldane (now Lord Haldane) said 'Educate your people and you have reduced to comparatively insignificant dimensions the problem of raising the condition of your masses'.

I need hardly say that the above remarks apply equally to India. Some of the Indian States such as Baroda and Mysore have already taken up the work in right earnest and have made considerable progress."

The motion was put and agreed to.

The Hon'ble BABU SURENDRA NATH RAY also moved that the Bill be circulated for eliciting opinion thereon.

The Hon'ble SIR S. P. SINHA said :—

"My Lord, at this stage I desire to say very little except to congratulate the Hon'ble Member on having the privilege to introduce this Bill in this Council, so that Bengal follows at any rate if she does not lead the other provinces in introducing this necessary and long due measure. As the Hon'ble Member has observed, the necessity for universal primary education is admitted, on all hands, and the question has been hitherto one of ways and means. It is because the Hon'ble Member has sought to tackle, if I may use that phrase, the problem of problems—the question of ways and means by providing that municipalities should be able to raise the means for this purpose, it is because he has tried in this Bill to solve that problem in that way, that I specially congratulate him. My Lord, the Hon'ble Member quoted some interesting figures comparing what has been done in other provinces in the way of contribution for primary education, with what has been done in Bengal. It is true that the contributions in other provinces for the purpose have been very often larger than those in Bengal, but I think in fairness it ought also to be stated that the contributions for the purposes of secondary education and higher education have been in Bengal much larger than those of the other provinces. Perhaps in so contributing we have not sufficiently taken care of the interests of the poor; perhaps in doing what we have done, we have pampered the classes who ought to be able to look after their own education. I consider the introduction of this Bill a good augury for the day when the classes now called the educated classes will direct their energies for the purpose of impressing upon Government the necessity for spending all the money they can, not upon the education of the privileged classes so much as on the education of their poorer brethren. I also look forward to the day when it will be possible for the Hon'ble Member or some other Hon'ble Member to add to the Bill, or bring in another Bill for the purpose of including a not less important section of the community, viz., our girls, within the purview of this Bill, for until that is done, I do not think we shall be able to claim for ourselves the same position and the same footing of equality with the civilised nations, the history of primary education among whom my Hon'ble friend has very pertinently referred to to-day. With these few words, I desire to commend on behalf of the Government this Bill for the earnest consideration of the Council and the country at large, and I trust that on all hands there will be the same burning desire as that which inspired my friend to-day to contribute each one to the best of his capacity for the purpose of providing education for the poor."

The motion was put and agreed to.

RESOLUTIONS.

LIST OF BUSINESS—ITEM No 8.

The Hon'ble BABU AKHIL CHANDRA DATTA being absent, the following resolution, which stood in his name, went by default :—

The Hon'ble BABU AKHIL CHANDRA DATTA to move that this Council recommends to the Governor in Council that a mixed committee of non-officials and officials, other than Police officers, with a non-official majority, be formed to examine the evidence upon which all orders of internment have been passed in Bengal under the Defence of India Act and to make such recommendations to the Government about each individual case as may be warranted by such examination.

LIST OF BUSINESS—ITEM No. 9.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, before I move the motion that stands in my name, I beg to make an humble and respectful submission to Your Excellency. This is a very important resolution which is agitating my community at the present moment. My Lord, we have had a full day's work from 11 o'clock till nearly 5 o'clock. I am sure not only Your Lordship, but other members of this Council are quite fatigued after a whole day's strenuous and hard work. My Lord, when you made your able, interesting, eloquent and impressive speech on this matter, Your Lordship came from your breakfast table to the Council Chamber. Now, my Lord, after a full day's work to take up this important question, in which I understand many of my friends on the non-official side will take part, will be inflicting a very great hardship on us. I appeal to Your Lordship's sympathy—I should say mercy—and crave Your Lordship either to postpone this resolution either to to-morrow's meeting or to the next meeting of the Council, and direct the Secretary to put this as the first item on the agenda. I make this humble submission to Your Excellency and make a candid statement of our present position at this time when the sun is about to set."

The PRESIDENT said :—

"The Hon'ble Member's idea of a hard day's work does not coincide with mine. We have only sat since 11 o'clock, we have had one hour's interval, and it is now nearly a quarter to five. If the Hon'ble Member will do some arithmetic, he will find what his hard day's work consists of ; it is only 4 or 5 hours' work. I do not think the Council as a whole has had an unduly long day's work. I would suggest that the Council should at least sit for some little time longer ; some Hon'ble Members have come from a long distance to attend the Council, and the Hon'ble Member is of course perfectly aware of the rule that resolutions should be taken up at the end of the other business of the day. It was always the intention that resolutions should be taken up after the other business of the day had been dealt with. In these circumstances, I would suggest that the Council should at least sit a little longer before adjourning."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, I bow to Your Excellency's decision."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR moved the following resolution :—

This Council recommends to the Governor in Council that an advisory committee of officials and non-officials consisting, among others, of an Indian Judge of the High Court and a practising member of the Calcutta Bar, be appointed to investigate into and report upon all internment cases

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that have already taken place and that may take place in future and to recommend in each case—

(*a*) the place of detention ;

(*b*) the allowance to be granted to the *détenu* and to the members of the family as may be deemed necessary ;

(*c*) the educational facilities which may be required in particular cases ;

and that the said advisory committee be empowered to co-opt any resident in the district wherein the persons effected live and who, in their opinion, is likely to be of assistance in the investigation and examination of the case.

He said :—

"I would like to clear my ground before I enter into the merits of this resolution. We listened with very great attention to the interesting, able, and eloquent and impressive speech that Your Excellency delivered at the last meeting. We could not at that time quite follow what was actually intended to be done by Government to meet the public demand on this subject. Subsequently we had an opportunity of reading Your Excellency's speech and also of reading in the newspapers an official *communiqué* on the subject and we find that the Governor-General in Council has been pleased on the recommendation of Your Excellency's Government to appoint a Committee presided over by an eminent judge of Great Britain and some of my countrymen, not only from Bengal but in other parts of India to investigate and to find out whether there is any widespread criminal conspiracy in India and whether any legislation is necessary to cope with the evil. My Lord, we have nothing to complain about this ; in fact, we welcome such an inquiry, but, my Lord, at the present moment, what we want is not merely an inquiry of the sort which has now been instituted by Government, but something more.

"My Lord, at the last Budget debate, while approving the detention of dangerous characters, I expressed a hope that a Committee may be appointed to investigate and inquire into the cases of suspected persons before their liberty is taken away and they are interned, causing distress, desolation and despair in their homes. Your Excellency with your high statesmanship and keen insight at once found out that there was not much difference between the Government and the public in this matter—the difference being only in the method of investigation of the cases. We are grateful that the attitude of the community is not misunderstood. Not merely loyalty to the British constitution and allegiance to the British Crown but our self-interest and self-conservation demand that peace and order should reign undisturbed throughout the length and breadth of the land. Anarchism must be suppressed. The political, social, moral and material advancement of the country cannot go on if the canker of anarchism finds lodgement in its body politics. When we remember the crimes against law and order that took place in the country we cannot but feel that it is our duty, in our own interests, to rally round the Government and to strengthen its hands in suppressing them. Economic causes may have brought forth this malignant disease, but that is no reason that it should be allowed to grow to the detriment of our lives and properties. This is the view of every British subject in this Presidency—nay, throughout India, who has a stake in the country. But the question which is uppermost in everybody's mind is, should not the Government change its method of dealing with the cases ? I hope I may be pardoned if I say that there is a widespread and deep-seated feeling of discontent throughout the length and breadth of the country at the manner in which these cases of suspected persons are disposed of by Government. At present it practically rests with the executive officer, namely, an additional Secretary of Your Excellency's Government to act on the Police reports that are often-times based on the information of spies and informers. Although the ordinary law of the land can be moved to bring the suspected persons to justice, for want of proper legal evidence the Government are advised to resort to the provisions of the Defence of India Act. I do not mean to say that the decisions in these cases are all unjustified or arrived at without due deliberation and consideration. I fully appreciate the difficulties of Government. On

the one hand they must protect the lives and property of the people and on the other hand they must safeguard the innocent from being the victims of mischievous and intriguing people. It is our duty, my Lord, to assist the Government with our advice and suggestion in this matter and I hope that our suggestion will be taken in the spirit in which it is offered. My Lord, there is a general and insistent demand growing daily in intensity and volume that the administration of this Act should not be dependent on the unaided judgment of a single executive officer however fair-minded and impartial he may be. It is a stupendous task—a serious responsibility is imposed on the shoulders of a single officer armed with the power of depriving any one of His Majesty's subjects of his liberty which is his birth-right, on the *ex-parte* and untested reports of officers who might be possibly misled by others. My proposition, without weakening the hands of Government in any way, suggests a course which will be in conformity with the procedure which I believe exists in England and which will to a certain extent ensure justice and conciliate public opinion. In the absence of a judicial tribunal, a *quasi*-judicial advisory committee should be appointed to advise the Government in each case. The whole object is that as action is being taken under exceptional circumstances and under a special law without the ordinary safeguards there should be some *quasi*-judicial authority substituted for the executive to guarantee that the liberty of the unfortunate man will not be lightly and without a most careful consideration, as far as the altered situation will permit, be taken away. I think a committee consisting of a judge of the High Court, a practising lawyer who is capable of testing evidence, a high executive officer co-opting and a well known and well-informed resident of the district will be a perfectly independent and impartial body and will inspire the confidence both of the Government and the people. An Advisory Board with the co-opted local member will be in a better position to make a recommendation to the Government as to what allowance should be made to the *détenu* and to the family after due investigation of his pecuniary circumstances. As the application of the Defence of India Act merely restricts the movements of the persons interned and in the case of school boys the restrainment is made with a view to dissociate immature youths from evil companions without in any way intending to blast the future career of the youths or to cast an indelible stigma upon them, it is hoped that the Government would take a paternal solicitude for their welfare and ask the Board to recommend what educational facilities can be arranged for the boy during the period of his internment. Such a committee will weigh with a full sense of responsibility all facts which will be brought to their notice. The analogy of a special tribunal may be taken as a proof to show how successfully a mixed tribunal has worked. The object of the Government and the people is the same, that the persons guilty or clearly suspected of committing crimes should be punished or restrained. That object can be best attained by substituting the machinery of a *qausi*-judicial body in the place of a single executive officer. We are also anxious on behalf of the people to see that no injustice is done to any body by his liberty being curtailed on insufficient evidence and on mere suspicion. I am conscious that I am not addressing in vain your Excellency's Government in moving this resolution. Your Excellency is a representative of the British Crown. I know that it is repugnant to the instincts of the freedom-loving people of the British Isles to deprive any person of his liberty without trial. As in the absence of a regular trial the Government are liable to misconstruction and misunderstanding, we want the hands of Government should be strengthened by the appointment of the Advisory Board. I, therefore, earnestly hope that in the interest of Government as well as of the people Your Excellency may be pleased to accept the resolution."

The Hon'ble MR. AMINUR RAHMAN said :—

"My Lord, barely a month ago Your Excellency announced in this Council that the India Government has been persuaded to appoint a commission

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for the investigation of all matters connected with the anarchist movement in this country. It was also announced that the services of an eminent English Judge would be enlisted for the purpose We have already seen the names of the gentlemen who are going to serve on this commission in the papers. Nobody will deny that it is a fairly representative body and consisted of men who stand very high in the estimation of the people. The very fact that the Government have at last agreed to let non-officials into the secret ought to disarm the suspicions of those who have held that the Government was pursuing a policy of unscrupulous repression. Even if there be some reasonable grounds for such suspicion one ought to suspend one's judgment about the policy of Government specially with regard to the arrest and internment of suspected persons until the commission has published its report on these matters. Any Committee that may be appointed by this Government will be placed in exactly the same position as the commission in regard to the facilities for the purpose of investigation and the materials that they will have to work upon. I do not think two separate bodies differently composed will come to two different conclusions if the facts and figures in connection with these matters are fully and honestly placed before them. For this reason I maintain that the establishment of a Committee for the purpose of investigation and report is absolutely unnecessary. The resolution goes further. It suggests that a Committee be empowered to make recommendations on each individual case about the place of detention, the allowance to be granted to a *détenu*, etc. If we agree to the appointment of such a Committee we have to assume that the present machinery is not working satisfactorily. In Bengal there is a strong prejudice against the Police and probably in some cases one can easily justify one's opposition to the system of Police administration. It may be that for this very reason even great public men who generally make a generous allowance for the frailties of human nature and the foible of a time-worn system have begun to denounce the Police. As for myself I cannot ascribe a policy of vindictive savagery to any responsible department of the Government. But I do think that there are cases where some unscrupulous and villainous members of the Police force have acted with an utter disregard to the feelings and prejudices and comforts of the *détenus*. I must say at once that I do not know of any such cases myself; but one cannot easily disregard the version given by eminent and responsible Indian leaders about individual cases of Police oppression that have come under their notice. One such case of wilful neglect of the health and comfort of a prisoner in any European country would be sufficient to create an agitation far more vigorous and probably far more impressive than any the Government has to deal with in this country. The people who are ignorant about the circumstances that lead to these arrests and who are kept in the dark about the conditions surrounding the life of these men naturally accept the statements of their leaders and feel compelled to bring them before the Government and urge on them the necessity of adopting some measure of reform in this respect. But there are difficulties in this way of the pursuit of the object which my Hon'ble friend has in view. In the first place any committee formed in Calcutta cannot conscientiously give any judgment about any of the matters enumerated in the list without the members themselves investigating on the spot the condition of the place of detention and the circumstances of the family. If they are not in a position to do that then they also may make such errors of judgment or unwittingly commit an act of injustice equal in gravity to any committed by the Police. The mere co-option of residents of different districts will not improve matters, as these also will have to labour under the same disadvantages. If the Hon'ble Member can suggest any way of avoiding these difficulties I may be inclined to support his resolution; but as it stands it has these obvious defects.

The Hon'ble BABU BHABENDRA CHANDRA RAY said :—

"My Lord, when at the last meeting of the Council the consideration of this resolution was postponed, it was with a view to enabling us to take stock of the situation created by Your Lordship's announcement of a Committee to

which the whole matter of internment would be submitted for 'investigation and decision'. The constitution and terms of reference of this Committee have since been published. And it cannot have escaped Your Lordship that the announcement in this behalf has failed to evoke any great interest among the public. So far as the personnel of the Committee goes, it may be unexceptionable in one way, but it certainly admits of improvement. The main purpose for which the aid of the Committee seems to have been invoked is the determination of the lines on which some permanent criminal legislation may be undertaken, if necessary, to meet the situation. This appears to have led some people to believe that there is no want of resolution on the part of the authorities as regards such an extraordinary legislation, and that it is expected that the newly appointed Committee will perhaps lend the weight of its high authority to any logislative proposal which Government may have up their sleeves. This may be a mere phantasy, but, my Lord, there it is in the popular mind. And I think it my duty to draw Your Lordship's attention to this matter, and I hope that something will be done to reassure the people as regards the intentions of Government.

To avoid misconception, I shall at once say that I admit the necessity for arming the executive with some emergency powers in a crisis like the one through which the Empire is now passing. But what we insist on, and what the present resolution asks for, is that we the non-official community are to be associated with the executive in the administration of those extraordinary powers. The very fact that the present demand was not put forward before now is ample proof that we were never in a mood to lightly interfere with the authority of the executive; and that circumstances must have happened which do not permit us to acquiesce in the present system of administration of the Defence of India Act any longer. A somewhat similar demand was embodied in a resolution which was very ably moved in the Imperial Legislative Council by Mr. Dadabhoy in February last. Sir Reginald Craddock, who replied on behalf of Government, pointed out that even in England the order of internment is issued by the Secretary of State before reference is made at all to the Advisory Committee constituted under the Defence of the Realm Act, and that no such reference is made except when any individual interned has made a representation. My Lord, I must admit that the functions of the Committee which we now suggest will be of a more enlarged nature than those discharged by the Advisory Committee in England. It must be remembered that the operation of the Defence of the Realm Act affects only aliens and persons of alien associations, whereas the Defence of India Act is admittedly being made use of for dealing with the children of the soil. Moreover, the British police, on whose report action is taken in England, command greater confidence of the public than the Police here. Then, again, if the truth must be told, the Home Secretary in England, being one of the people, enjoys greater confidence than our executive here, which is less pervious to the influence of public opinion. Our experience of the manner in which this war measure has been made use of, tells us that the Criminal Investigation Department in its capacity as the custodian of official conscience has had everything in its own way. And we would be failing in our duty if we were to maintain an attitude of indifference any longer.

The effect of the indiscriminate and reckless use of these extraordinary powers in Bengal was feelingly described by Mr. Bhupendra Nath Basu from his seat in the Imperial Legislative Council. And I cannot resist the temptation of repeating his eloquent words in this connection. 'If I could', said Mr. Basu, 'if I had the power and ability of placing before the members of this Council the scenes of desolation and sadness that pervade in the country homes of Bengal; if I could place before you the agony, the despair of sorrowful and bereft families; if I could place before you the discontent spreading from home to home, from hamlet to hamlet, from village to village, from city to city in Bengal;

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if I could place before you what the future impression will be if things like these are allowed to go on from day to day; then I am sure we should find a ready response in support of the resolution so ably moved'. My Lord, the Hon'ble Mr. Cumming would perhaps characterise it as 'oriental hyperbole'; but this picture represents only too faithfully the state of things about a year ago, and the situation has certainly been aggravated now. Sir Reginald Craddock, with almost a chuckle of complacency, admitted the accuracy of the picture drawn. He said: 'I feel myself, Sir, and I think probably many of the Council will feel also, that the harrowing scenes such as these, the truth of which I do not dispute, make it all the more imperative and necessary that all of us should do our best to check the young men of this kind being misguided and led astray'. The determined, heartless policy, which this cold-blooded attitude of Sir Reginald Craddock's typifies, has since levied its toll of tragedy in the shape of suicide, insanity and early death among *détenus* in Bengal. My Lord, picture to yourself a bright young man of good lineage, scarcely out of his teens, with a brilliant career before him—the delight and promise of his parents, and the future hope of his country—a loving friend and comrade—a spotless character, noble and sweet—the very pattern of youth. But perchance there lurks the faintest trace of suspicion against him in a pair of police brows, and his liberties are restrained without much time being wasted in useless enquiries. The grounds of suspicion, even according to the Code of the Criminal Investigation Department, are not apparently very serious, for we find him 'domiciled' with his parents—a rare indulgence, though it is enough to cut short his studies in which he has so long excelled. Some little time elapses, and it pleases the authorities to remove all restraints imposed on him, for quite as mysterious reasons as led to his internment. The absolute innocence of the boy was perhaps no longer a matter of doubt to any one. He is set free, but only in theory. For we find the relentless emissaries of the Criminal Investigation Department dogging his steps with unabated zeal, taunting him at every turn, warning him off the company of his friends, subjecting him in short to all the indignities of the worst felon. Another convincing proof of his restored freedom comes in the shape of an order prohibiting him from joining a college. We do not know, perhaps will never know, who really was responsible for this insensate order. Whether it were the local educational authorities, or some higher executive officials, who were guilty of this monumental indiscretion, we do not care. They will have to account for it before their God. But the result is that an unutterable sense of helplessness, degradation and despair comes upon the youth. The alluring prospects of an honourable and useful career are blotted out, leaving the horizon a perfect blank. Life loses all its attractions for him, and he seeks repose in death.

My Lord, who after all is responsible for the suicide of Sachindra? Is it not the soulless system of indiscriminate internment and espionage? This unfortunate young man employed his last moments in this world in framing as severe an indictment against the present administration as ever was framed by martyred humanity. Does your Lordship care to know how this case of suicide has stirred the inmost heart of Bengal? 'A throbbing of life will be felt in the country at my death', thus predicted Sachindra—and how truly predicted it! 'I shall thank God if my death be of any help to any one similarly circumstanced with me',—thus wrote he almost with the last drop of his blood. Will the last appeal of this young man fall on unheeding ears?

My Lord, as I speak, there rises before my mind the vision of a score of my countrymen who have abstained from food for some days past as a protest against their detention and the treatment accorded to them. The condition of some of them is grave, but I am relieved to learn to-day that at least one of them has taken food and his life has been saved. They may be quite wrong in the step they have taken, but Your Lordship should take note of the seriousness of the situation which this indicates.

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There are people whose blind wisdom leads them to deny the staring existence of things which they dislike to own. It pleased the Hon'ble Sir Henry Wheeler to have a fling at the non-official members of this Council who interpellate Government about the working of the Defence of India Act. He made the statement that 'the answers that they have given should have dispelled any uneasiness which might be created by the questions themselves'. If Sir Henry meant to be humourous, I think he could not have chosen a more improper occasion. If Your Lordship believes me, the questions, far from causing any uneasiness themselves, represent very imperfectly the state of unrest and alarm that exists in the land on account of the administration of the Defence of India Act and of the alleged unfair treatment of *détenus*. If I were permitted to retort to Sir Henry Wheeler, I would say that it is the answers that are given which increase the uneasiness among the people. The questions offer opportunities to Government to explain things; and if the answers are vague and given most grudgingly and in a fencing manner, they cannot satisfy the people. When, for instance, any request is made for certain papers or some other information in connexion with the suicide of any *détenu*, and Government give a flat refusal, it does not certainly tend to dispel the uneasiness that exists independently of the questions. Fortunately for the official benches, the Indian Evidence Act has no application to our proceedings here. Otherwise, in these circumstances one might presume that when a person refuses to answer a question, or to produce any evidence called for, the answer or evidence if given would be unfavourable to him.

My Lord, if you are anxious to remove misconceptions from the mind of the people, you must make a radical change of the system now in vogue. Your Lordship was pleased to state at the last meeting of the Council that in future cases the papers would be placed before two judges for their opinion. Why not let us have a duly-constituted Committee that will inspire greater confidence of the people, to deal with all present and future cases, as suggested in the resolution now before us?"

The Hon'ble BABU SURENDRA NATH RAY said :—

"I should like to say a few words with reference to clause 1 of the Resolution, viz., the clause as regards the detention of *détenus*.

Two or three letters were shown to me by the fathers of two of the *détenus* confined in cells. In the letters the boys complained of their lives in solitary cells and if I remember aright they said that their mind might be unhinged any moment that life had become unbearable. Some of the *détenus* have been kept confined in cells for months and months. What is the ordinary law on the subject of solitary confinement as laid down in the Indian Penal Code and which is only applicable to the most hardened criminals in the land. Under section 73 of the Indian Penal Code a man can in no case be kept in solitary confinement for more than three months and section 74 of the Penal Code limits the period of solitary confinement. The section lays down :—

'In executing a sentence of solitary confinement, such confinement shall in no case exceed 14 days at a time, with intervals between the periods of solitary confinement of not less duration than such periods, and when the imprisonment awarded shall exceed three months' solitary confinement shall not exceed seven days in any one month of the whole imprisonment awarded, with intervals between the periods of solitary confinement of not

less duration than such periods'. So that in no case a criminal, whatever his punishment may be, can be kept in solitary confinement for more than three months and never more than 14 days at a time with intervals of at least 14 days. It is, therefore, not surprising that some of the *détenus* have become mad or have committed suicide.

I think that steps should be taken by Government that the political prisoners, whatever their offences, may at least be treated in the same way as the worst criminals of the land are treated under the Indian Penal Code. I do not ask for a better treatment or for a better place of detention than that of ordinary criminals."

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR said :—

"My Lord, I should like to say that the internments have had a very wholesome effect on the country. We are safe as regards our lives and property as a result of the internment policy, and I, therefore, congratulate Your Lordship's Government, and especially the Government which preceded Your Lordship's arrival in this country for the steps taken to intern a large number of suspected persons; at the same time I must own that the feeling in the country is that a large number amongst these interned persons are innocent; that feeling is growing, and a growing feeling like this leads to discontent, and it is not desirable nor right that a wise Government should allow such discontent to grow. If the mover of this resolution has urged that an Advisory Committee should be appointed on the lines as prevail in England I do not quite see the precise objection to this suggestion being adopted. True, there is here in such cases a machinery for coming to a conclusion as to whether some particular person who has been arrested is guilty or not, and whether he should be interned or not, but there is a great difference between the opinion of an executive officer who performs this function at present and the opinion of a person who has been trained in judicial habits of thought, and the longer, my Lord, we delay in forming an Advisory Committee, the longer this discontent will grow. I am not following exactly my friend the Hon'ble Rai Radha Charan Pal Bahadur in the personnel of the Committee; it is not exactly necessary that a practising barrister or a resident of the place whence the interned person comes, should form members of the Committee. There might be some advantage in that; I am not saying that unless you do so the country will remain discontented. If two experienced judicial officers with habits of thought which would commend themselves to the people at large are appointed, it does not matter if no practising barrister does not find a place on the Committee. At the present moment, besides the confessions to which reference has been made by Your Lordship on the last occasion, the majority of the persons, who have been interned, have been so placed on the basis of Police papers, and the opinion which the gentleman who has been detailed to do the business of examining these records, forms of the guilt or otherwise of the persons arrested. I quite believe that the Police of the present day is far superior and far better in their methods, and their hands are more pure than what used to be in this country years ago, but we cannot forget that their conduct does not come up to the mark which Police officers have maintained in England and whatever reliance you can place upon the Police in England, you cannot place that amount of reliance upon the Police in this country. Most people here are aware of the fact that some years ago Sir Andrew Fraser was travelling in the district of Midnapore in a carriage, and below his carriage some bombs exploded, and the Lieutenant-Governor narrowly escaped with his life. The Police were on the spot almost immediately and arrested some coolies working on the line as culprits. True to their instincts they secured the inevitable confessions from these coolies, and these persons were produced before the Magistrate, and then there was a committal to the Sessions, and the Sessions

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Court convicted them; there was an appeal preferred by these coolies before the highest Court of the land and the highest Court of the land comprising two of the best Judges confirmed the conviction. Just a year after that, there was the Maniktola bomb case in which certain people of education were arrested and they confessed that the placing of the bombs in the Midnapore district, to destroy the life of the Lieutenant-Governor, was done by them and not by the coolies, who had nothing to do with it. What did the Government do? The Government released the coolies; and came to the conclusion that the whole Police case was concocted. The persons engaged in investigating that case were not constables or head-constables, but superior Police officers, and here you have an instance as to how the Police work in this country. I for myself would be very cautious in acting upon Police papers. They are often useful, and they are necessary in order to know what has been done in the matter of investigation, but one has to be cautious, and the fact being so, and the fact that our countrymen who compose the Police force are not in their conduct such that you can say that they will always do what is just and proper and refuse to do what is not so, I cannot give that certificate of perfect integrity to my countrymen the Police officers. Therefore I say that you have to see that innocent persons do not suffer, and you have to see that by keeping innocent people in durance, that you do not allow the volume of discontent to grow."

The Hon'ble Sir Henry Wheeler said:—

"Sir, when I received notice of the resolution which has just been moved by the Hon'ble Rai Radha Charan Pal Bahadur, I had some doubts as to its scope, and taking it in sequence to that which has fallen through owing to the absence of the Hon'ble Babu Akhil Chandra Datta, I imagined that the Hon'ble Rai Bahadur was concerned principally with the methods of dealing with men once interned under the Defence of India Act, granting that restrictions under that Act were required. It is evident, however, from his speech that he has paid but cursory attention to that side of the question, and has dealt mainly upon the larger issues whether Government is justified in taking action at all against the persons whom it has restrained under this Act, and upon the precautions which it should adopt and the advice with which it should fortify itself before taking action. That being so, the resolution really falls into two parts; and I will endeavour to deal with the larger issue first, although, as I have said, I imagined when I saw the resolution that it was mainly concerned with the second.

The proposal of the Hon'ble Rai Bahadur, as I understand it, is that in these matters, Government should fortify itself with the advice of an Advisory Committee, and although this resolution is not so specific as that of the Hon'ble Babu Akhil Chandra Datta, I gather that the Hon'ble Mover would like to have a non-official majority on that Committee, while from the tenor of his speech and the arguments that he has adduced, I think I am right in saying that he desires that the non-official element on that Committee should predominate. Well, Sir, before criticising that proposal, may I again repeat—and it is inevitable that I should, to some extent, recapitulate some of the arguments of which this Council are already aware—that it has never been the wish of Government to neglect any reasonably practical means of testing the value of the evidence against persons to whom restrictions under the Defence Act are applied, and it is absolutely inaccurate to insinuate, as is not infrequently done in some quarters, that action is taken casually on the uncorroborated statements of what are usually called Police

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spies. The papers are, of course, examined by Police officers ; that is inevitable, but we have in this province appointed a special executive officer for the examination of papers quite independently of their scrutiny by the members of Government ; and this Council is also aware that papers come before a judicial officer before orders are finally passed on them. These are in themselves valuable checks against mistakes, but, as is known, His Excellency has already stated that we are prepared to go further ; we are referring the whole matter of the conspiracy in Bengal, under the terms of reference already published, to a Committee upon which there will be judicial officers of the highest standing, and it almost makes one despair when we are told that a Committee of that composition may be expected recklessly to endorse any scheme which, I think one Hon'ble Member said, Government may have ready up their sleeve. Apart from this Committee, we also contemplate referring all future cases of internment for the advice of a judicial committee of two Judges, and the adoption of that procedure is only awaiting the reply to correspondence which is pending with the Government of India. There are the precautions which we have already adopted and are adopting in the hope of meeting the doubts which have been expressed with moderation and restraint by the Hon'ble Rai Debender Chunder Ghosh Bahadur (the fairness of whose speech I quite recognise), and which we know are felt by people who are concerned about the administration of this Act. In addition to these precautions, the cases of those who have been restrained under the Act are constantly coming under the review of Government, and as Your Excellency mentioned at the previous meeting of Council, during the three months, August to October, no less than 65 persons have either been released on assurances of good behaviour or have had the degree of restraint over them mitigated. In fact, since the first enforcement of restrictions under this Act, the total number of persons who have been released from orders originally passed is 132. I would emphasise that process, which is a continuing one, and which largely depends on the conduct of these young men once they are placed under restriction, while it is a process we intend to pursue. But the proposal in the resolution is that we should go further and should adopt a step in the administration of the Act which would materially infringe upon the responsibility of Government for its enforcement. That is a position which we cannot accept. It was not contemplated by the Act when it was passed in the Imperial Council, while the Local Government, as such, are entrusted with the administration of the Act ; and it is not a function of which we can absolve ourselves, however distasteful the steps that we have to take may be to us. Apart from the many serious difficulties that there may be in bringing before a Committee of the kind which the Hon'ble Member contemplates, information and matters which have been given to us in confidence, there is another objection to the proposal, and that is that at a time of stress and war like the present, when the internal peace and tranquillity of the country must be maintained, it must rest with Government to take action towards that end on its own responsibility in accordance with the law of which the administration has been made over to it. We are fully aware of the non-official criticisms that have been directed against the Act and of which we have had expression to-night. We have done our best, as I have explained, to remove any grounds of suspicion for its misuse which trouble the minds of some Hon'ble Members, and we are anxious to carry public opinion with us in what we think right and necessary by giving the public as full a statement of the case as is practicable. This was done on several occasions in Lord Carmichael's time, and it has only recently been done by Your Excellency. With the approaching meeting of the Committee presided over by Mr. Justice Rowlatt, it cannot be fairly said that we have baulked enquiry ; in fact we have invited it. But in so far as by the appointment of that Committee the whole matter is, so to speak, *sub judice*, I would ask Hon'ble Members whether they would not be better advised to wait for the results of the enquiry which is about to be undertaken, before

raising points which cannot but create a certain amount of prejudice around the whole subject.

So much for the first part of the resolution, and although the Hon'ble Member has not dealt with the second at equal length, it stands as part of his recommendations, and I must allude to it.

His proposals under this head relate to the methods of restraint which are enforced over these young men. May I tell the Council what the procedure is that we now adopt? The number of persons at present under restraint is 793, of whom 189 are in home domicile and 581 distributed in various places away from their homes. Assuming that Government is satisfied that restrictive action is required, the first thing to do is to decide where the *détenu* should be located. If this course is considered safe, the lenient step is adopted of permitting him to remain in home domicile, that is, placing him under the supervision of his relatives. If that is not possible, he must be sent elsewhere. Lists of such possible places are in the possession of Government, and from them the responsible officer selects a locality which, having regard to the facts of the case, is most likely to be satisfactory in fulfilling one of the objects of the Act, namely, to keep the *détenu* away from the associations and surroundings which have led to his downfall. When he arrives at the place chosen he passes under the supervision of the District Magistrate and the Superintendent of Police, and it is the duty of the former to see whether the pecuniary circumstances of the youth require the grant of allowance. If after making enquiries into the facts he is satisfied that they are correct he is authorised to make a grant of an appropriate amount, and he merely reports the matter for confirmation by Government.

This explanation covers the first two heads touched upon in the resolution. The third concerns educational facilities. In order to give Hon'ble Members some idea of the special pecuniary allowances that are made, I may state that at present some 535 *détenus* and 68 families are in receipt of allowances, while the total amount so disbursed amounts to about Rs. 18,000 monthly. As regards educational facilities, it is possible that in the case of a boy who is domiciled in his home some sort of home tuition might be permissible, but that is not possible in the case of foreign domicile if it is a question of permitting the boy to attend an educational institution. If there is anything clearer than another in the literature of the revolutionary conspiracy, it is the importance attached by the organisers of it to the contamination of boys in schools. They have persistently directed their efforts towards that end, and their instructions by which they hope to attain that object are minute. The fact that a boy is proceeded against under this Act and is placed under restraint means that he has been contaminated, and in the interests of other innocent boys, who are happily in the majority and still attending school, it is not possible that a boy of this kind, at any rate during the period of his restraint, should be allowed to mix with others. It is a misfortune for him no doubt; but it is only a part of the penalty he is paying for his misguided action.

This explains briefly the practice relative to the locality of detention, allowances and education. At headquarters, we have a special officer deputed to do this work and nothing else, and the volume of the work involved can be judged by the fact that he is one of the most hard-worked officers in the Secretariat. That being the position, is the proposal of the resolution practicable? To it, I submit, there are two objections. My first objection is that which I have already mentioned in connection with the first part of the

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resolution, namely, that the administration of the Act rests upon the responsibility of Government, and it is one which we cannot consent to be delegated or impaired. The constitution of the Committee advocated by the Hon'ble Member is somewhat curious, and the proposal to entrust executive functions to a judicial officer is scarcely one which I should have anticipated as emanating from its present source, while personally I cannot appreciate the particular qualifications of a member of the Calcutta Bar to deal with these essentially local questions. But, apart from these details, it is the point of principle, namely, the impairing of the responsibility of Government, to which I mainly take exception. I recognise that the Committee will comprise officials as well as non-officials, but from our point of view we have our accredited officers in the District Magistrates and Superintendents of Police, who are on the spot and best able to ascertain the facts, and I do not see why we should ignore their presence in these matters and place them before other officials in order that the latter may advise on questions for which they have no particular qualification, which are matters of local knowledge, and which are not immediately their concern.

My second objection is to the proposal that the Committee should deal with the details indicated. As those who have had experience of the working of our Legislative Councils are aware, there are two methods which are not infrequently adopted of frustrating action to which exception is taken. The first, if a measure is disliked, is to oppose it *in toto*. If that is not successful, the second is to propose a system of practical working which will bring the whole machine to a standstill. The present proposal is of the second kind. This point has been already taken by the Hon'ble Mr. Aminur Rahman, who realises that a Committee sitting in Calcutta will not be able to deal with questions affecting all parts of the province where these *détenus* are kept. If the Committee relies on the reports of local officers we are no better off than in dealing with these reports direct. If they trust the co-opted local members, they merely constitute as arbiter an unknown resident of the district on whose dictum in these matters we cannot be expected to rely. Moreover, in practice, looking to the mere volume of the work, it could not go through if it had to be referred to a Committee at every stage. Circumstances may arise which necessitate a modification of the original orders. These details may arise for decision at any moment. Is it seriously proposed that the Committee should sit in perpetual session or is it suggested that they should be convened on every occasion? The officer of Government who is at present entrusted with these particular functions is sitting daily at the Secretariat, and in no other way could he discharge these functions.

Another point to which I desire to draw attention is that these details of method do not merely concern the convenience of the person who has been dealt with under the Act. In order to decide where a man should be placed under restraint and what amount of restraint should be exercised, the officer passing the orders requires to be acquainted with what the charges against the man are, who his associates are, and in fact the whole relation of that man to the revolutionary movement; taking all these factors into consideration, he passes orders for restriction. It would be impossible to lay all these facts before a Committee without placing them in judgment upon the whole administration of the Act, which brings us back to the objections I have already taken to what I have described as the first part of the Hon'ble Member's resolution.

If these objections which I have urged are valid what do we gain by a proposal of this kind? It is made presumably in the interests of these

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détenus, but the answers given to questions asked about them, taken as a whole, show that they are already treated with consideration. Complaints there may be; it is inevitable that there should be, but in that connection I may mention one point for the consideration of the Council. Supposing it is proved that our contention is right, and that these boys who are being dealt with under the Act are members of a revolutionary conspiracy, is there any more obvious method for such a conspiracy to adopt than to promulgate constant complaints and rumours as to the treatment and martyrdom of the men to whom the Act has been applied? It is an obvious thing for any member of the conspiracy to do, and a curious instance of it came into our hands only the other day in the shape of a letter addressed to a relation of one of these boys. If I may read to the Council an extract from this, it will show clearly what I mean. It was written to the relation of a *détenu* to whom I will refer as A, and runs :—

'Those of the *détenus* who do not plead their cause through the medium of newspapers do not get any concessions from Government and have no chance of being interned at home. "A" should, therefore, send in a petition every week. All these petitions are to be sent to the Superintendent of Police. If these petitions produce no good result the Additional Secretary, Government of Bengal, and the Deputy-Inspector-General of Police, Intelligence Branch, are to be petitioned simultaneously in the same words. * * * * "A" should send in a petition to the Superintendent of Police, saying that he had never been away from home and is, therefore, not accustomed to live in foreign climate; that he generally falls ill in that place; that he is getting worse day by day, which may lead to some serious illness endangering his life; that for these reasons it would be better if he is allowed home domicile; that as his father is a poor man the allowance should continue even in home domicile, though it may be a little curtailed; that in giving home domicile Government will keep him in good health and will not have to spend quite as much for his maintenance and will afford him facilities for nursing his sickly mother and brother. I have written all these to "A" in a clever way, and have asked him to keep you informed whenever he submits any petition regarding his illness, wants or complaints.'

I refer to this letter in order to show the possibility, the obvious possibility, of utilising the spread of rumours as one of the methods of defeating the administration of the Act. India is known as a country where rumours circulate and circulate widely, and I would ask Hon'ble Members not to accept as gospel truth everything which they hear in this connection. With reference to the remarks of the Hon'ble Babu Bhabendra Chandra Roy who, at a previous meeting, said 'if I were to believe all the reports that are conveyed to us, I could unfold here a harrowing tale of misery and suffering,' I would ask the Hon'ble Member if he is in possession of these harrowing tales and reports to take them to the accredited officers of Government to whom other people find no hesitation in going, and I can assure him that an enquiry will be made into them. My information is that the Hon'ble Member has neither been to Mr. Cumming nor to Mr. Stephenson and placed them in possession of these harrowing tales with which he seeks to make the flesh of the Council creep. If he will do so, our officers will enquire into his allegations just as they have enquired into matters which have been brought to their notice by questions and in the papers.

Some Hon'ble Members have made general comments on the policy of the Act, more particularly with reference to men who are detained under Regulation III of 1818, which do not come strictly within the terms of the resolution.

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and I have purposely confined myself to the proposals of the resolution, but I would submit that, for the reasons I have given, they should prove unacceptable to the Council."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, I have listened with great attention to the speech which has been delivered by the Hon'ble Sir Henry Wheeler. In the first place, if I have followed him aright, he has contended that from the very beginning there was opposition to the passing of this Act and then proposals are made to hamper the practical working of the Act. I do not understand whether he thereby means in all seriousness that I am the person who has been from the very beginning hampering the Government in the administration of the Act. If by simply sending in this resolution I have done that, then I must respectfully repudiate that charge. Sir, if sitting quiet, dumb in this Council and listening only to the explanations vouchsafed from the Government side, without making any suggestions, honestly offering assistance to Government by making these suggestions—if these attempts are interpreted as hampering the Government then I must say, Sir, that we must bid good-bye to all our aspirations for the association of my countrymen with the Government in the administration of the country. Sir, in my observations both to-day and at the budget debate, I have acknowledged that we have derived benefit by the internment of a number of persons, but, Sir, if we were to stop there, and if we did not tell Your Excellency that there is a deep and widespread feeling in this country, we should be failing in our duty. I know that Government, are not trying to ignore that feeling, but I do know that there is a deep and widespread feeling that these cases are not properly investigated and are decided on the reports and *ex-parte* statements of Police officers. I do not agree with all that is said by a very large number of people. I do not agree with those who say that all the people that have been interned are innocent, and I do not agree, in spite of the high authority of Sir Henry Wheeler, that all the people that are interned are guilty. In order to reassure the public mind on the subject, and in order to strengthen the hands of Government, some sober and moderate members of our community have submitted this motion for your consideration. I do not understand what is the practical difficulty and how the acceptance of this resolution will hamper the administration of the law. Sir Henry Wheeler has pointed out—if I have followed him aright—that I wanted a non-official majority on this Committee. I have never said that I wanted a non-official majority or minority, all I have suggested is that a practising lawyer who is capable of attesting evidence, should be associated with it. He may be an official or a non-official ; he may be the Advocate-General or the Standing Counsel, or he may be an independent practitioner. Have you not nominated Mr. Provash Chunder Mitter, a member of the Committee, to be associated with Justice Rowlatt to inquire and investigate into the existence of a widespread conspiracy in this country ? Is he not a practising lawyer ? Does not the responsibility rest upon Government to show whether there is widespread conspiracy or not and to devise measures to combat it. Why have you then appointed the Committee to advise the Government in this matter ? So, I think, my Lord, my resolution is a perfectly genuine one, intended honestly to help and strengthen the hands of Government. At the last budget debate I said there is no difference between the Government and the people except as to the method in which this Act is being administered. My countrymen are exactly of the same opinion and if it is stated that a single officer of Government or even two judges to whom the case will be referred, will give satisfaction, I must say, my Lord, that that will not be the case, because in this matter you must trust to a certain extent, my countrymen, and if you take a responsible member of my community to be associated with the two judges upon whom the Government

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must rely on, I think it would go a great way to reassure the public mind. Then, my Lord, as regards the co-opted member I will give one instance as an illustration. The Criminal Investigation Department makes a report on a certain case of a *bhadralok*: he comes and inquires of somebody in the locality as to what the character of this young man is, and he reports on that statement. If that person makes a statement which is adverse to the interests of the young man because he has got some grudge against him, the report goes gradually step by step to the officer who disposes of these cases. If you appoint a co-opted member, for instance the Hon'ble Raja Hrishikesh Laha, who lives close to my locality, in connection with a particular case or cases in that locality, then I believe the Government will be in a better position to know whether that person from whom the information was derived is actually a man upon whose word you can rely. I do not think there will be any difficulty in choosing co-opted members.

Sir Henry Wheeler stated that a large sum of money is spent for the maintenance of the families of *détenus* and on the *détenus* themselves. I have never complained that the Government are neglecting them, but what I state is that whatever allowance is made by Government is made on the recommendation of certain officers who may not be so well informed as a resident of the locality would be. It has been stated that transference of this power to an Advisory Committee will infringe upon the responsibility of Government. That argument, however, does not hold good, because you have yourselves appointed a Committee to investigate into this very matter. Your Excellency in that last speech has clearly stated that there is a widespread conspiracy in this country, and if you are convinced of it, why shirk the responsibility and appoint a Committee to advise upon the same matter. As it is too late I would only say if this resolution be not accepted in some form or other there will be great disappointment in this country and I hope that our motives and our actions will not be misinterpreted."

A division was then taken with the following result :—

Ayes—16.

The Hon'ble Dr. Nilratan Sarkar.
" " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
" " Kumar Shib Shekhareshwar Ray.
" " Babu Brojendra Kishore Ray Chaudhuri.
" " Mr. Arun Chandra Singha.
" " Rai Debender Chunder Ghose Bahadur
" " Rai Radha Charan Pal Bahadur.
" " Maulvi Abul Kasem.
" " Maulvi A. K. Fazl-ul-Haq.
" " Khan Sahib Aman Ali.
" " Babu Bhabendra Chandra Ray.
" " Rai Sri Nath Ray Bahadur.
" " Rai Mahendra Chandra Mitra Bahadur.
" " Babu Surendra Nath Ray.
" " Babu Kishori Mohan Chaudhuri.
" " Babu Ambika Charan Mazumdar.

Noes—20.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
" " Sir Satyendra Prasanna Sinha, Kt.
" " Mr. J. G. Cumming, C.S.I., C.I.E.
" " Surgeon General W. R. Edwards, C.B., C.M.G.
" " Mr. C. J. Stevenson Moore, C.V.O.
" " " J. H. Kerr, C.S.I., C.I.E.
" " " J. Donald.
" " " L. S. S. O'Malley.
" " " F. A. A. Cowley.
" " " C. H. Bompas.
" " " W. C. Wordsworth.
" " " C. F. Payne.
" " " E. B. H. Panton.
" " Rai Priya Nath Mukharji Bahadur, C.S.O.
" " Mr. J. Mackenzie.
" " Mr. W. H. H. Arden-Wood, C.I.E.
" " Raja Hrishikesh Laha, C.I.E.
" " Mr. F. W. Carter, C.I.E.
" " Sir A. Birkmyre, Kt.
" " Mr. E. A. Martin.

The following member abstained from voting :—

The Hon'ble Mr. Provash Chunder Mitter.

The following members were absent :—

The Hon'ble Mr. T. C. P. Gibbons.

" " Ihtisham-ul-Mulk Rais-ud-Daula Amir-ul-Omrah Nawab Sir Asif Qudr Saiyid Wasif 'Ali Mirza, Khan Bahadur, Mahabat Jang, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.

" " Sir Rajendra Nath Mookerjee, K.C.I.E.

" " Mr. Aminur Rahaman.

" " " R. Glen.

" " Dr. Deba Prasad Sarbadhikari, C.I.E.

" " Mr. E. B. Eden.

" " " H. R. A. Irwin.

" " Dr. Abdulla-al-Mamun Suhrawardy.

" " Mr. M. Ashraf Ali Khan Chaudhuri.

" " " Altab Ali.

" " Babu Akhil Chandra Datta.

" " " Mahendra Nath Ray, C.I.E.

" " Mr. K. B. Dutt.

The ayes being 16 and the noes 20, the motion was lost.

Adjournment.

The Council then adjourned to the next day, the 19th December, 1917, at 11 a.m.

A. M. HUTCHISON,

Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (offg.).

CALCUTTA,
The 5th January, 1918.

B. S. Press—21-1-1918—2689J—850—J. L. C.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Wednesday, the 19th December, 1917, at 11 A.M.

Present:

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble SIR SATYENDRA PRASANNA SINHA, KT.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SURGEON-GENERAL W. R. EDWARDS, C.B., C.M.G.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. J. DONALD.

The Hon'ble MR. L. S. S. O'MALLEY.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble MR. W. C. WORDSWORTH

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. E. B. H. PANTON.

The Hon'ble RAI PRIYA NATH MUKHARJI BAHADUR, I.S.O.

The Hon'ble DR. NILRATAN SARKAR.

The Hon'ble MR. J. MACKENZIE.

The Hon'ble MR. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble MR. PROVASH CHUNDER MITTER.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble DR. DEBA PRASAD SARBADHIKARI, C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble MR. F. W. CARTER, C.I.E.

The Hon'ble SIR A. BIRKMYRE, KT.

The Hon'ble MR. E. B. EDEN.

The Hon'ble MR. E. A. MARTIN.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU MAHENDRA NATH RAY, C.I.E.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

RESOLUTIONS.

LIST OF BUSINESS—ITEM No. 10.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR moved the following resolution :—

This Council recommends to the Governor in Council that—

(1) the Bengal Government Municipal Department circulars No. 11M., dated the 24th February, 1916, and No. 2445M., dated the 25th September, 1916, which give an interpretation of the law that imposes restrictions on Municipal electorates, be either withdrawn or modified so as to remove such restrictions ; and

(2) if this is not possible, section 15 of the Bengal Municipal Act, 1884, be amended so as to remove the restrictions in question and that the operation of the circulars referred to, be suspended pending such amendment.

Babu Ambika Charan Mazumdar.

He said :—

My Lord, at a meeting of this Council held on the 5th March, 1917, I moved a resolution for the extension of the municipal corporations in this Presidency. I then pointed out that we had made very little progress in this direction as compared with other provinces. The slight increase in the number of municipalities in Bengal was mainly due to the splitting up of certain riparian municipalities near about Calcutta. It was also pointed out that out of a total of 52 subdivisional towns within this Presidency no less than 21 subdivisional towns are without any municipality and therefore without any adequate provision either for the conservancy or for the sanitation of those places. The recent policy of the Government has been not to increase the number of municipalities, but gradually to absorb the subdivisional towns inside rural areas by incorporating them with Union Committees. My Lord, that resolution was lost. To-day I stand to draw attention to another phase of that retrograde policy which aims at greatly emasculating and curtailing the municipal electorates by narrow interpretations of the law as existing at present. My Lord, there are two kinds of taxes in force in the Bengal Municipalities. One is the tax or rate on holding which is the proper municipal taxation, and the other is a tax on persons levied according to the means and circumstances of persons occupying holdings, and this is the prevailing tax in most of the municipalities in the interior of the country. It is practically a form of income-tax. In 1884, when the Municipal Act was taken up for consideration, there was an agitation as to the qualification of voters. The property qualification was reduced to a minimum taxation of Rs. 3. That did not satisfy the public, who urged for an additional qualification irrespective of property qualification, and section 15 which deals with the qualification of voters had added to it a sub-section, viz., sub-section (*3*), which gave this privilege to the educated community and in this sub-section it was laid down that graduates, under-graduates and licentiates of the University, licensed pleaders, mukhtars and revenue agents should also be entitled to vote although they may not pay any tax for the holdings in which they reside. The tax may be paid by somebody else, and if they reside there and occupy a portion of their holdings they would be entitled to vote by virtue of their educational qualifications. Now, the first circular which wanted to cut down this important privilege of the educated community was Circular No. 11 A., dated the 24th February, 1916. That circular says that Government has come to know that certain students have given votes at certain elections and therefore they think it right that certain interpretation should be given to section 15 (*3*), and it was held that students *in statu pupilaris* would not be entitled to vote. That in the first instance would mean that if a person has got two sons and has also got a holding within a municipal town and if one son is a B. A. who has left off his study, and the other son having passed the B. A. is prosecuting his studies for the higher M. A. degree—under the operation of this circular it would come to this that the son who has left off his studies with an inferior degree would be entitled to vote, but the other being in the category of students *in statu pupilari* would be debarred from voting. Then the circular goes on to state that the occupation in the holding referred to in section 15(*3*) should be confined to an exclusive occupation and occupation as of rights. I quite understand, my Lord, that mere possession of a stranger ought not to be considered as occupation within the meaning of the Act; but there is this difficulty :—Is the occupation of the son of a father who pays taxes within the municipality not to be considered as occupation under that circular? I contend that occupation there does not mean either exclusive occupation or occupation as of right. Surely we are able to draw some distinction between the bare physical occupation of a stranger and that of a son or grandson living with his parents and possessing an inchoate right in the holding. There may be also cases in which, although the father is the owner, the son's occupation is also derived from some other right and it cannot be classed in the same category as the occupation of a stranger. Then,

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my Lord, the circular goes on to say that where the student does not pay for his room his occupation is no occupation. My Lord, we have learnt many things from the West which we gratefully acknowledge, but we have yet to learn that in this country a son should pay rent to his father for the room he occupies in the house. And what does 'exclusive occupation' mean? How can there be exclusive occupation in the strict sense of the term? A father has got two sons, one of whom is a mukhtar and the other a pleader. They can have no exclusive right to any particular rooms they occupy. The father, as the rightful owner, may some times allot some other rooms to them. So this interpretation based on a state of things which does not exist in this country at all is, I consider, most unfair, because in this country sons, grandsons, nephews and others live together in the same house under the direction of the *pater familias*. Although they may have separate rooms allotted to them, still it cannot be either exclusive possession or possession as of right. If the legislature of 1884 intended to give such a construction on the word 'occupation', then I think there would have been no sub-section (*3*) to section 15. And I submit, my Lord, to the fair judgment of this Council to consider that if this circular were to be enforced, whether sub-section (*3*) of section 15 would not be a nullity. Can it be suggested that under any conceivable circumstances a son cannot live in the house without paying rent to his father or without having exclusive possession of a room? I particularly take exception to the circular where it refers to students. The expression *statu pupilaris* does not occur in the section and why should you interpolate it? It may be very different in the case of students living in hostels or messes who do not live for the whole term through and may not satisfy all the requirements of section 15, but what I object to is that graduates and under-graduates and all those persons who have been given the privilege of voting under section 15(*3*) should have exclusive occupation and pay something by way of rent in order to qualify themselves as voters. If the circular stands, then that section would go. In the face of this circular that section cannot stand. That is my first objection.

The second circular goes a step further. I am referring to Circular No. 2445, dated the 25th September. That circular arose out of a peculiar circumstance. In the municipality of Comilla at the last general election two persons belonging to a joint family appeared at the polling station and each wanted to vote for a different candidate. The polling officer very properly refused to record the vote of either of them and referred the matter to the Magistrate who cancelled the election. I think he was perfectly right there. Then the case was referred to Government and this circular was issued which goes to extreme lengths in construing section 15 of the Municipal Act. It lays down broadly—I need not read it out as it is a lengthy one—that a joint family has no right to vote. It is said that as a joint family is not a corporate body, strictly speaking, under the law, no member of it would be entitled to vote, although they pay a requisite taxation jointly. It is also said that business firms or persons occupying a joint holding unless registered under the Company's Act have no corporate existence and as such are not entitled to vote. This is no doubt a plausible argument in favour of this contention, and I ought to draw the closest attention of the Council to this point. The word 'person' is not defined in the Municipal Act and we have to refer to the Bengal General Clauses Act for a definition of this term. In section 3 of the Bengal General Clauses Act it is said that 'person' includes any Company, any Association, or any body of individuals, *whether incorporated or not*. The General Clauses Act was passed in 1899 and the Bengal Municipal Act in 1884. In section 5 of the General Clauses Act there is a provision that this definition of 'person' shall apply to all enactments passed since the passing of the General Clauses Act, otherwise the word 'person' would include only a corporate body or association. But the Municipal Act being of 1884 the General Clauses Act cannot be invoked for the purpose of giving the wider definition to the word 'person.' But here I would ask the Council to consider one point. Whenever an Act is amended, it takes a new start whatever may be the nature of the amendment,

and although the name may be of the old Act, it is still cited as an Act amended by such and such Acts. My contention is that when an Act is amended it takes a new lease of life from the date of the amendment, whatever the extent of the modification may be. The Bengal Municipal Act of 1884 was amended for the last time in 1900 for the purpose of meeting certain cases of the Darjeeling Municipality, and if my view be correct, then the definition of 'person' in clause 3 of the General Clauses Act ought also to apply to the Bengal Municipal Act and if it is so applied in that case the circular is distinctly *ultra vires*, because section 3 says it would refer to any body or Association, *whether incorporated or not*. Thus even though a joint family may not be strictly called a corporate body, still it is the union of a number of individuals with certain manners and customs, and whether they are incorporated or not they should be allowed under the law to vote. Similarly in the case of business firms there is no valid reason why they should be debarred from voting.

Now, my Lord, I will ask your attention to the effect of these two circulars. I have received several complaints from various quarters. I have received a letter from the Chairman of the Mymensingh Municipality, from the Secretary of the Naraingunge Mahajan Sabha, and from various other persons complaining that if these two circulars operate municipal elections would become a farce. I will not content myself by simply giving my opinion but I will cite a concrete case. I know of many such cases, but I think one will suffice. In a municipality consisting of 15,000 souls there are no more than 2,300 rate-payers, that is to say, 16 per cent. of the population pay any taxes. Out of these 2,300, only 918 or, in round numbers, 900 persons are voters. That would be 6 per cent. of the whole population. Therefore the situation is this: that out of a population of 15,000 only 900 persons, that is, 6 per cent. of the whole population, return the Commissioners. And if these two circulars are brought into operation, the number of voters in many of the municipalities would come below 5 per cent. of the whole population and in some below 4 per cent. Now contemplate the result of such an election. Out of every 100 persons only 4 persons will return the Commissioners! I doubt whether such an election would be worth the name. I hope and trust that these circulars will be either withdrawn or liberally construed.

There is another aspect of this question. Mufassal municipalities are efficient bodies who have been satisfactorily carrying on their work, particularly sanitation and conservancy works. Most of the municipalities have provided themselves with pure drinking water for their constituents and they attend regularly to the conservancy of the towns: They pay for primary education and do other useful things; but apart from these, in congested areas the municipalities have proved most efficient and useful bodies for the purpose of preserving the health and convenience of the people. The election in such municipalities ought to be more representative and the electorates ought to be enlarged. I do not think it would be politic of the Government to cut down the electorates and curb and curtail them so as to reduce to its minimum, the utility of these institutions and I hope and trust that the question of the two circulars should not be lightly treated. The first circular introduces words which are not in the section and no one, not even a judge, can introduce words into a section which that section does not contain. The word 'student' is not there and why should you introduce it into the section? Such is also the case in regard to *occupation* of holdings. The word 'person' in the second circular also comes under section 3 and not section 5 of the General Clauses Act. The Bengal Municipal Act was last amended in 1900 and the General Clauses Act was passed in 1899, and therefore I think the definition in the latter Act applies to the case of the former.

I hope that this resolution will be accepted by the Government in the spirit in which it is offered. I do not mean to embarrass the Government

Rai Mahendra Chandra Mitra Bahadur.

or to tamper with its prestige. It is a pure question of honest interpretation; it is a simple proposition. When we are asking for reforms there are those who are reminding us that we must first improve the local self-governing institutions, and when we come to the local self-governing institutions, they are improved with vengeance by being curbed and emasculated. I submit that these circulars have proceeded from a retrograde spirit and they ought to be at once removed. But if the Government find themselves hopelessly in a position not to be able to withdraw the circulars after they have once passed out of their hands, if that be the position, then I say, let section 15 be amended. If Mahomet will not come to the mountain let the mountain go to Mahomet. If the circulars cannot be withdrawn, let the law be changed, which of course will be done in Council and not in the quiet recesses of the Secretariat. At least let these circulars be suspended, because the general election of many municipalities will shortly come up, and if they are to be enforced now, it will cause great prejudice to many of the municipal elections."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said :—

"My Lord, I beg to support the resolution which has been so ably moved by my learned friend. There are two questions which deserve the consideration of the Council: firstly, as to the legality of the circulars, and, secondly, as to the expediency of giving a full operation to them. Referring to the legal view of the question it appears to me that the circulars have been conceived in a very illiberal spirit. The Council will note that so far as the law is concerned the residential clause is a most important one, but I cannot imagine how the sons who have a joint family house can be told that they are not in possession. The Council will kindly consider also that the possession of the father is also considered to be the possession of the sons. In a joint family there are two or three brothers and each brother has joint possession in the dwelling house, and can it be contended that one brother has exclusive possession in it? Under the *Dayabhaga* law each brother is considered as a co-sharer, and to my regret I learn that only one should represent the family as a voter because the joint family is not a corporate body. As the Chairman of a mufassal municipality, I have tried to explain to the brothers that only one of them should represent the family, but they could not and did not understand why each of them should not vote. There are difficulties in administering the law in that way, and it is very difficult to see how the law can be administered in the spirit in which the circulars have been issued.

Then, again, referring to the expediency of having the circulars in operation, I have to submit to your Excellency that the educated portion of the community is excluded from voting. Why do I say this? Because a qualified voter is entitled to be elected as a Commissioner. Now if the educated portion of the community be excluded, naturally we will find that there is weakness in the strength of the Commissioners who are elected by the people. It is therefore necessary that a favourable interpretation should be given to the circulars. The election rules were enacted in 1896, and I will take this opportunity of bringing to Your Excellency's notice that these rules ought to be modified. They are antiquated rules, and at the end of every election we find that Chairmen are made defendants in Civil Courts for giving wrong interpretation to the rules. If you refer to any annotated edition of the Municipal Act, you will find that the High Court has to interpret almost every rule. It argues therefore that the rules are defective, and it is high time for Your Excellency's Government to consider whether these rules, which were drafted in 1896, should still be in operation to the fullest extent. I am aware of a circular which was issued by the Bengal Government on the authority of the Advocate-General, stating

that writs of injunction should not be issued by Civil Courts withholding an election. Of course that circular was issued in 1897, and to my regret I submit that the Civil Courts did not pay any heed to the opinion of the Advocate-General, although it was a weighty one. There are various concrete cases which I can put before the Council showing the defective nature of the rules. These rules no doubt are enacted under the authority of section 15. To my mind section 15 ought to be modified along with the rules which are based upon the provisions of that section. I have submitted my views to Your Excellency, because I feel the difficulty of interpreting the old rules which are in force now. Under altered circumstances the rules demand fresh consideration. I do not know whether I am justified in raising this point at a time when the area of discussion raised by my hon'ble friend is a limited one and thereby trespassing upon the time of the Council, but I do submit and submit again for the consideration of the Council and of Your Excellency that attention should be given to the humble suggestion which I have made just now. My Lord, I must say one word more, namely, that the Bengal Municipal Act ought to be amended in various ways. One who has read the law carefully will, perhaps agree with me, that the Act itself has already become an antiquated one although it was passed only in 1884. Your Excellency's Government hav taken the trouble of re-drafting the Calcutta Municipal Act and my humbl submission before this Council is that this Act may also be re-drafted."

The Hon'ble BABU SURENDRA NATH RAY said :—

"My Lord, I support the resolution of my Hon'ble friend Babu Ambik Charan Mazumdar for the reasons given by him. I have been the Chairma of an important municipality for 20 years, and I beg to submit that the inte pretation now put by the learned Advocate-General, a high law officer of tl Crown, has taken us all by surprise. That has not been the accepted inte pretation of these words for so long, that is, ever since the Act came in operation in 1884. Section 15 of the Act lays down that 'any person wl immediately preceding such election has paid in respect of the rates a aggregate amount of not less than Rs. 3 would be entitled to vote.'

And then sub-section (*iii*) says :—

> 'being a graduate or licentiate of any University, or having pass the First Arts Examination of the Calcutta University or t corresponding standard of any other University, or holding license, granted by any Government vernacular school, practise medicine, or holding a certificate authorising him practise as a pleader or as a mukhtar or as a revenue-agent occupies a holding, or part of a holding, in respect of wh there has been paid, during the year aforesaid, in respect any rates, an aggregate amount of not less than three rupees,
>
> shall be entitled to vote at the election of Commissioners of st Municipality.

If the payment of Rs. 3 be the only condition to entitle a person to become a voter, then the other clause of the section, namely, that which lays down certain educational qualifications to entitle a person to become a voter, would be superfluous. That clause then has no meaning at all, because from the interpretation put by the Advocate-General it seems that only persons who pay rates and taxes to the extent of Rs. 3 are entitled to vote.

Then as regards the other circular about the right of voting by persons belonging to joint families, I think there has been a good deal of discussion on this question for a very long time. Under the old rules of the Calcutta Corporation, I believe, members of a joint family could nominate even an outsider to vote for them. I hear that the rule has subsequently been changed, and it is now only a member of the family whom the other members

can nominate to vote on their behalf. In mufassal municipalities, so far as I am aware, the *karta* of a family used to vote. About eight years ago I had occasion to consult a District officer—I may name him, Mr. Bompas—about this, and he advised us that if the members of a joint family paid Rs. 6 as rates and taxes, and if there were two brothers in the family, both the brothers were entitled to vote. That practice has been followed for the last eight or ten years in my municipality. As regards the right of graduates to vote, I think it is clear that mufassal municipalities are bound by the interpretation put by the law officer of the Crown and if the Government thinks that they cannot act against the circular, then it is necessary to amend the law on the subject. But I think it would not be necessary to amend the law; the election rules might be amended instead. And as regards the right of voting by the members of a joint family, the question is not very clear, and in this connection, I think, it would not only be necessary to amend the election rules, but also the law on the subject."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, I need not do any more than give my whole-hearted support to the resolution. Sub-section (*3*). to my mind, was introduced so as to allow a large number of educated persons living in joint families to participate in the municipal elections. But the result of the circular will be to exclude these persons. When the Act was passed, the legislature of the time did not intend that a very narrow view should be taken of it. If any difficulty has arisen, then the law may be amended. I believe it will be amended soon and then the matter may be fully discussed. It should be the aim that the electorates should be more enlightened and more educated. Otherwise the municipal administration would be a farce. In that view, I think, the circulars should be suspended, and if there be any difficulty the amendment of the section should be taken in hand. With these words I support the resolution, and I hope it will be accepted by the Council."

The Hon'ble BABU MAHENDRA NATH RAY said :—

"My Lord, the question before the Council, I take it, is whether the two circulars referred to in the resolutions lay down or give a wrong interpretation of section 15 of the Bengal Municipal Act. If they do, then the request that they should be withdrawn would be a perfectly fair one. If they do not, then the Government, as an executive authority, are powerless in the matter. There is a further question raised in the second part of the resolution, namely, that if the circulars give a correct interpretation of the law, the law might be amended. The learned speakers who have preceded me are all lawyers and some of them, I understand, are Chairmen of mufassal municipalities. The opinion they have expressed to the effect that these circulars are based upon a wrong interpretation of the law is certainly entitled to weight, and I am not going to discuss that question here. So far as the first circular is concerned—the circular of February, 1916—the question as to whether the interpretation of the law contained in that circular is correct or not depends upon the proper meaning of the words 'occupies holding'. Whether it was contemplated when section 15 was enacted that this occupation need not be legal occupation, but includes physical occupation not based upon right, is perhaps a difficult question, and speaking for myself I thought that the opinion of the Advocate-General was correct. But whether the legislature meant that at the time when section 15 was enacted is a very different matter. With regard to the September circular, the question of the right interpretation of the law depends upon the word 'person'. The second circular, to my mind, causes very little difficulty

Babu Mahendra Nath Ray.

in working the rules. My hon'ble friend, Babu Surendra Nath Ray, intimated that Mr. Bompas had told him some time ago that there would be no difficulty in working out the rules under section 15 in the case of joint families under the Bengal school so as to cause no hardship whatever. The joint family under the Bengal school may not be a 'person' and the interpretation of the law as laid down in the September circular may be perfectly correct, but if a joint family consisted of, say, A, B and C, A may represent the joint family and there is nothing in the law, nothing in the circular, to prevent him from representing the joint family. All that the circular pointed out was the incorrectness of the theory that A, B and C constituting members of a body consisting of A, B and C must present themselves as a composite body and give their votes. I do not think any member can object to what the circular said on that point. And if A, B and C constitute the members of a joint family, it is perfectly open to them with the consent of the members of the family to make A to represent that family and there is, I say, nothing in the circular of September, 1916, nor in section 15 to prevent that being done. It has been worked in this way in some of the municipalities of which I have personal knowledge, but whether it has been worked correctly or not is another matter. In the municipality of Howrah, for instance—we need not go any farther—the rule which has been hitherto followed is this: Suppose a joint family consisted of A, B, C and D, and the whole family is liable to pay a rate of Rs. 18 quarterly. Each of these men, A, B, C and D, is registered in the demand register as an occupier or a holder and in the voters' list as a voter, and I say there is nothing in the circular of September, 1916, nor in section 15 to prevent this being done. I speak subject to correction of course. But we are now concerned with the legality or the propriety of this circular of September, 1916. That circular, however, so far as it says that a 'person' does not include a joint family may or may not be correct, but it does not work any mischief and therefore that circular need not be considered unless the law officers of the Crown are advised that it is based upon a wrong interpretation of the law. With regard to the first circular the law laid down—or rather the interpretation of the law in that circular—is perhaps correct, but it has worked mischief, and I am bound to point out that this matter requires serious consideration by the Government. It is time that gentlemen possessed of educational qualifications, such as are set out in section 15, should have the power of voting at municipal elections irrespective of their right of ownership or right as legal owners or occupiers of a holding within the municipality. There are lawyers, and if the lawyers are a very unpopular body I shall leave them out of account, but there are teachers and school masters and others who are a very useful body of men possessing educational qualifications—that I take it is the most important qualification—but who may not occupy a holding in the legal sense of the term;—whether these men, possessed of educational qualifications and residents within the limits of a municipality for a year as required under section 15, but not owners or occupiers of holding in the legal sense;—whether people of this description should be debarred from taking part at a municipal election is a very serious and important question. To my mind they ought not to be debarred. If they possessed the requisite residential qualifications they ought to have the right of voting, irrespective of any legal right of occupation of property. That, I am afraid, will need an amendment of the law, and so far as the proposal contained in the second part of my hon'ble friend's resolution is concerned, it has my full sympathy, but mainly in respect of the matter which I have just referred to, namely, the question as to whether persons possessed of adequate educational qualifications and satisfying the residential qualifications should or should not be permitted to take part at municipal elections irrespective of their right of ownership or legal occupation. I respectfully submit that they should be permitted."

Maulvi Abul Kasem ; Rai Radha Charan Pal Bahadur.

The Hon'ble MAULVI ABUL KASEM said :—

"My Lord, I beg to support the resolution which has been moved by the Hon'ble Babu Ambika Charan Mazumdar. Certainly the educated section of the community and educated boys should have the right to vote at municipal elections, because they are best qualified to exercise the franchise that has been granted to us. In the municipality of Burdwan, if these circulars are given effect to, one of our most useful Commissioners will not only cease to be such, but will also cease to be a voter because his father pays the rates and taxes and the son does not pay for his room nor has he the holding in his name. My Lord, I do not think it is necessary for me to add anything to what has been said by some of our distinguished lawyers to the interpretation put by the Advocate-General on the section. We have in this Council at the present moment a very high authority on law in the Hon'ble Member in charge of Local Self-Government. I think the Municipal Act should be amended so as to include all enlightened people in the list of voters.

My Lord, my object in rising to support the resolution has also been to draw Your Excellency's attention and also that of the House to the unfortunate remarks which fell from the lips of the Hon'ble Mover of the resolution—I mean his remarks about Mohamed and the mountain. That, my Lord, is a fiction invented by over-zealous Christian missionaries and has no foundation in fact. I would be wanting in my sense of duty if I did not draw Your Excellency's and the Hon'ble Mover's attention to it. And I pray that these words may be deleted from the proceedings of the meeting."

The Hon'ble RAI RADHA CHARAN PAL BAHADUR said :—

"My Lord, some reference has been made to the system followed in the Calcutta Municipality in connection with the circular issued on the authority of the opinion of the Advocate-General regarding the voting power of a joint family. I think the practice followed in the Calcutta Municipality is such a simple one that it can be followed without any disadvantage in other municipalities. In Calcutta a joint family consisting of three or four members is empowered to vote under the new rule sanctioned by Government about a year ago by nominating one of the members to vote on their behalf. But they must send their nominee to the Chairman of the Corporation by the 1st of January preceding an election. As regards associations of persons, companies and firms, the rule is that any one employed in the firm or a member of the firm can, by an authority previously sent to the Chairman, claim to have his name entered in the voters' list and can also vote in the municipal election. I do not know whether there is any such rule in connection with the mufassal municipalities. If there is none, then I think it should be introduced in the mufassal, as this rule was approved by the Calcutta Corporation as also by the Local Government. For these reasons, My Lord, I support the resolution of my hon'ble friend. Although I am not a resident of a mufassal municipality, I find from the section which has been shown to me that any one possessing certain educational qualifications is entitled to vote. I do not know whether it means that any person who is not a *bonâ fide* occupier of a holding is entitled to vote simply because he has passed an University examination. I do not also quite understand why there should be any difficulty in connection with the occupier of a holding who pays a certain amount of tax to the municipality. In Calcutta, My Lord, any owner or occupier of a building, whether educated or uneducated, who pays a certain amount of tax, is entitled to vote. According to section 15 of the Bengal Municipal Act, a literate person if he is also the occupier of a holding is entitled to vote. But I do not know whether the *karta* of a family as well as his son who has

passed an examination are both entitled to vote. That is not the practice in Calcutta. But quite apart from educational qualifications, I think, my Lord, that the primary qualification should be that the voter should be an occupier of a holding in respect of which rates are paid. That should be the primary qualification. These are my views, My Lord, which I submit for the consideration of the Council."

The Hon'ble SIR S. P. SINHA said :—

"My Lord, I feel even now somewhat doubtful as to whether the exact nature of the question at issue has been clearly explained to the Council. We have heard of two circulars which the Hon'ble Babu Ambika Charan Mazumdar would like to be withdrawn. The mover of the resolution goes further and says that if they be not withdrawn the law ought to be amended.

The first question therefore is—what are these circulars about and why they have been issued and why by the Government? I will just state, as simply as I can, the answer to these questions. We have all heard of the Municipal Act a section in which lays down the qualifications of persons entitled to vote at municipal elections. I will not trouble the Council by reading the section, because it is hardly the function of the Council to interpret the law, though it is its function to make it. That section lays down the qualification of voters. Under that section, a question was raised not long ago whether two classes of persons were entitled to vote, *i.e.*, whether the language of that section included two classes of persons. The question having arisen the officers of Government, whose duty it is to make up the registers of voters, referred it to Government for advice, asking what the law meant and whether the law, as it existed then, included these two classes of persons or not,—the two classes of persons being, *first*, students living with their parents or in hostels or messes, and, *secondly*, members of a Hindu joint family. The Government could only do one thing on such a reference being made, namely, refer it to their highest legal advisers for their opinion on the meaning of the section, and this they did. They were advised that the section meant a particular thing; they put that in the circular and sent it to the officers who had asked for the advice. The officers naturally acted on that advice. But the fact that they did act upon it does not necessarily mean that it was correct. If it is wrong, it is open to anybody who is aggrieved to go to the Courts and say 'I have been wrongly excluded from voting; I ought to have been included'. The circular is nothing more than a communication by the Government that their law officer, the Advocate-General, is of opinion that the section means so and so. They cannot very well withdraw it until their law officer says that he was wrong. It does not really matter to anybody whether it is withdrawn or not, because it is open to anybody, who thinks that it is wrong, to go to the nearest Munsif's Court and say that the opinion of the Advocate-General is not worth the paper it is written upon, and the Court will thereupon decide as to whether the Advocate-General was right or whether he was wrong.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur himself mentioned a case in which the Advocate-General's opinion was treated in that way by the Courts with regard to injunctions; so it is liable to be treated with regard to these two matters in the same way if they are wrong. There seems to be some difference in regard to the matter. The Hon'ble Babu Mahendra Nath Ray says that the Advocate-General was right in regard to both these matters. On the other hand, I find that four or five distinguished lawyers in this Council think that the Advocate-General was wrong. It is rather difficult to choose between these two views, and the only course open to Government—so long as the Advocate-General adheres to his opinion—is to say that is how they are advised. It is open to anybody to contest the opinion in the law courts. Therefore, so far as the circulars are concerned, I think

it is hardly a matter upon which the Council can express an opinion as to the meaning of the section—which is for the law courts to decide. With regard to it, the Government must necessarily be guided by the opinion of its highest legal officers.

So far as the merits of the matter are concerned, I will deal immediately with them. It does seem somewhat anomalous that members of a joint Hindu family should not be entitled to vote. The Hon'ble Babu Mahendra Nath Ray, whose experience as Chairman of one of the largest municipalities —namely, Howrah—must carry weight, says that in practice it does not cause any difficulty. In Calcutta the rule is different, because the section is different. The section in the Calcutta Act expressly gives the right to vote to a member of a joint Hindu family. The section in the Bengal Act does not; and I think it right to say that when the next amendment of the Bengal Act takes place, this matter should receive careful consideration, because it is no use leaving it as a matter for interpretation. Although no practical inconvenience has been caused, as the Hon'ble Babu Mahendra Nath Ray has pointed out, it will probably be necessary to go into that question and put the law on the same footing as the law in Calcutta, in order that no question may arise in future.

Now as regards the second question of students living with parents or guardians or in hostels and messes, it is hardly right to say, as the Hon'ble Babu Ambika Charan Mazumdar has said, that the interpretation of the law as mentioned in the circular is due to any policy or any desire on the part of the Government to restrict the right of municipal voters. To start with that idea is not correct. It is not a matter of policy that the circular was issued, but merely in answer to a request as to what the law meant and after obtaining the advice of the law officers. It is not a question of policy; it is a question as to what the law as it stands means. We can only take it from the law officers until the courts pronounce upon it and say that the law officers were right or not. There is no question of policy involved in this matter at all.

As regards the section itself, it deals not only with educational qualifications, namely, the passing of a certain examination, but also certain property qualifications; it involves both. That is how it has been interpreted by the Advocate-General and, as the Hon'ble Babu Mahendra Nath Ray has remarked, he is probably right, or it may be that he is wrong; but if it is intended or if it is desired that educational qualifications apart from any property qualifications, divorced altogether from any other qualification, should be sufficient to give every resident within the municipality the right to vote, well that ought to be made clear—again I say, when the law is next amended. Whether that ought to be so or not is a very large question; whether educational qualification irrespective of any other qualifications should or should not give the municipal vote, is a question upon which I, at any rate, have an open mind, and I have no doubt that when the Act is next amended, my friends who desire that such should be the rule would place all their arguments before us, and I can only promise that when the Act is next amended—and I think it must be amended very soon, having regard to the length of time that has elapsed since it was passed in 1884—both these matters will receive our careful and sympathetic consideration. But I venture to think that it is hardly the correct procedure to ask this Council to put a construction or interpretation upon the law, as it is not one of the functions of this Council."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

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Mahendra Nath Ray), who thinks that one of the circulars at least does not interfere with the rights of voters, that is to say, circular No. 2445M. The concluding portion of that circular will show that my hon'ble friend has reckoned without his host. After discussing the question of the joint family, it summarises thus: 'For the above reasons a joint family has no legal capacity to vote.' I fully agree with my hon'ble friend to the right that according to practice one of the circulars may not interfere with the right to vote. I know the practice in different mufassal municipalities has been somewhat different and the opinion of the Advocate-General may not interfere with this practice. We have not the law of Calcutta in the mufassal. I myself was associated with one of these municipalities for the last twenty years and I know what the practice was in the case of joint family. We used to call upon the members of a joint family to elect or nominate one of them to be entered in the voters' register. The register for taxes is one and voters' list is another; so that there may be half a dozen names put together in the register for assessment, but at the time of election when we had to prepare the voters' list we used to put the name of one of them, as may be decided amongst the members of the joint family, as the qualified voter. But what the municipalities apprehend and complain of is that under the circular no such thing will be allowed, because it is said that a joint family has no legal capacity to vote; so that it would be inadvisable to let it remain like this, as many would think that the whole family is disfranchised.

In the next place, the circular says that 'for the above reasons a body of persons who hold or carry on business jointly, not being an incorporated association, is not entitled to vote.' So, in those cases in which there is a partnership business and those businesses are often very large, any member of these may also be asked to exercise the right to vote in a municipality. I fully admit that every member of a family and every partner of business may not go to the polling station and be allowed to vote. I contend however that this circular, as it has been worded, is a serious obstacle in the way of voting by these bodies who sometimes pay the heaviest taxes.

My esteemed friend, the Hon'ble Sir S. P. Sinha, has said: 'Well, we do not debar you from voting; we act upon the advice of our legal advisers.' Very well, My Lord, you can act on the advice of your legal advisers, but where is the guarantee that legal advice tendered by the Government may be ignored and that the municipalities are not bound to obey the interpretation given by Government and with whose advice they need not agree? It may be that at their instance, the circular No. 2445M. was issued, but it does not show that any legal advice was taken in connection with it."

The Hon'ble SIR S. P. SINHA said:—

"Legal advice was taken on both these cases."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—

"Well, My Lord, I did not know that, but it may be so; but I submit that the advice of the Advocate-General ought not to have been of this elastic or dubious character. It is openly and broadly said that joint families are not entitled to vote and joint business firms unless registered have not the capacity to vote. The Government may fairly interpret this circular and say that they did not mean absolutely to debar these bodies from voting, but they free to elect one of their members to exercise the franchise. If Government were to say that, it will clear up the matter.

Then my hon'ble friend, Sir S. P. Sinha, says that we may go to the Civil Court. If that is so, My Lord, it is a very large order. For every blessed case the party will have to go to the Civil Court and run considerable expense. It is not a very easy matter and besides how many people would agree

it is hardly a matter upon which the Council can express an opinion as to the meaning of the section—which is for the law courts to decide. With regard to it, the Government must necessarily be guided by the opinion of its highest legal officers.

So far as the merits of the matter are concerned, I will deal immediately with them. It does seem somewhat anomalous that members of a joint Hindu family should not be entitled to vote. The Hon'ble Babu Mahendra Nath Ray, whose experience as Chairman of one of the largest municipalities —namely, Howrah—must carry weight, says that in practice it does not cause any difficulty. In Calcutta the rule is different, because the section is different. The section in the Calcutta Act expressly gives the right to vote to a member of a joint Hindu family. The section in the Bengal Act does not; and I think it right to say that when the next amendment of the Bengal Act takes place, this matter should receive careful consideration, because it is no use leaving it as a matter for interpretation. Although no practical inconvenience has been caused, as the Hon'ble Babu Mahendra Nath Ray has pointed out, it will probably be necessary to go into that question and put the law on the same footing as the law in Calcutta, in order that no question may arise in future.

Now as regards the second question of students living with parents or guardians or in hostels and messes, it is hardly right to say, as the Hon'ble Babu Ambika Charan Mazumdar has said, that the interpretation of the law as mentioned in the circular is due to any policy or any desire on the part of the Government to restrict the right of municipal voters. To start with that idea is not correct. It is not a matter of policy that the circular was issued, but merely in answer to a request as to what the law meant and after obtaining the advice of the law officers. It is not a question of policy; it is a question as to what the law as it stands means. We can only take it from the law officers until the courts pronounce upon it and say that the law officers were right or not. There is no question of policy involved in this matter at all.

As regards the section itself, it deals not only with educational qualifications, namely, the passing of a certain examination, but also certain property qualifications; it involves both. That is how it has been interpreted by the Advocate-General and, as the Hon'ble Babu Mahendra Nath Ray has remarked, he is probably right, or it may be that he is wrong; but if it is intended or if it is desired that educational qualifications apart from any property qualifications, divorced altogether from any other qualification, should be sufficient to give every resident within the municipality the right to vote, well that ought to be made clear—again I say, when the law is next amended. Whether that ought to be so or not is a very large question; whether educational qualification irrespective of any other qualifications should or should not give the municipal vote, is a question upon which I, at any rate, have an open mind, and I have no doubt that when the Act is next amended, my friends who desire that such should be the rule would place all their arguments before us, and I can only promise that when the Act is next amended—and I think it must be amended very soon, having regard to the length of time that has elapsed since it was passed in 1884—both these matters will receive our careful and sympathetic consideration. But I venture to think that it is hardly the correct procedure to ask this Council to put a construction or interpretation upon the law, as it is not one of the functions of this Council."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"My Lord, in rising to reply, I shall have to notice *seriatim* some of the points which have been raised in this debate. First of all, I shall take some of the points raised by my esteemed friend to the right Hon'ble Babu

Sir S. P. Sinha; Babu Ambika Charan Mazumdar.

Mahendra Nath Ray), who thinks that one of the circulars at least does not interfere with the rights of voters, that is to say, circular No. 2445M. The concluding portion of that circular will show that my hon'ble friend has reckoned without his host. After discussing the question of the joint family, it summarises thus: 'For the above reasons a joint family has no legal capacity to vote.' I fully agree with my hon'ble friend to the right that according to practice one of the circulars may not interfere with the right to vote. I know the practice in different mufassal municipalities has been somewhat different and the opinion of the Advocate-General may not interfere with this practice. We have not the law of Calcutta in the mufassal. I myself was associated with one of these municipalities for the last twenty years and I know what the practice was in the case of joint family. We used to call upon the members of a joint family to elect or nominate one of them to be entered in the voters' register. The register for taxes is one and voters' list is another; so that there may be half a dozen names put together in the register for assessment, but at the time of election when we had to prepare the voters' list we used to put the name of one of them, as may be decided amongst the members of the joint family, as the qualified voter. But what the municipalities apprehend and complain of is that under the circular no such thing will be allowed, because it is said that a joint family has no legal capacity to vote; so that it would be inadvisable to let it remain like this, as many would think that the whole family is disfranchised.

In the next place, the circular says that 'for the above reasons a body of persons who hold or carry on business jointly, not being an incorporated association, is not entitled to vote.' So, in those cases in which there is a partnership business and those businesses are often very large, any member of these may also be asked to exercise the right to vote in a municipality. I fully admit that every member of a family and every partner of business may not go to the polling station and be allowed to vote. I contend however that this circular, as it has been worded, is a serious obstacle in the way of voting by these bodies who sometimes pay the heaviest taxes.

My esteemed friend, the Hon'ble Sir S. P. Sinha, has said: 'Well, we do not debar you from voting; we act upon the advice of our legal advisers.' Very well, My Lord, you can act on the advice of your legal advisers, but where is the guarantee that legal advice tendered by the Government may be ignored and that the municipalities are not bound to obey the interpretation given by Government and with whose advice they need not agree? It may be that at their instance, the circular No. 2445M. was issued, but it does not show that any legal advice was taken in connection with it."

The Hon'ble SIR S. P. SINHA said:—

"Legal advice was taken on both these cases."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—

"Well, My Lord, I did not know that, but it may be so; but I submit that the advice of the Advocate-General ought not to have been of this elastic or dubious character. It is openly and broadly said that joint families are not entitled to vote and joint business firms unless registered have not the capacity to vote. The Government may fairly interpret this circular and say that they did not mean absolutely to debar these bodies from voting, but they free to elect one of their members to exercise the franchise. If Government were to say that, it will clear up the matter.

Then my hon'ble friend, Sir S. P. Sinha, says that we may go to the Civil Court. If that is so, My Lord, it is a very large order. For every blessed case the party will have to go to the Civil Court and run considerable expense. It is not a very easy matter and besides how many people would agree

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to fight it out. How many people will agree to fight with the Government? If that day ever comes, when people will risk everything for their political privileges then these laws, these circulars and these interpretations will be scattered to the winds. But we are still bound under the constitution of the day to obey Government circulars. Government's opinion carries considerable weight, and it is not possible for every one to go to the civil court to contest the validity of a circular in every possible case.

Then, My Lord, with regard to the Circular letter No. 11M.—*in statu pupilaris*—both myself and my hon'ble friend Babu Mahendra Nath Ray have pointed out that under that interpretation given sub-section 3 of section 15 becomes a nullity. There is not a single case where it may be pointed out that it may be possible for any graduate, under-graduate or licentiate to vote, if that interpretation holds good. That was a special qualification in the case of mufassal municipalities which my hon'ble friend Rai Radha Charan Pal Bahadur cannot possibly understand, because in Calcutta, which is the centre of light and leading, of education and of enlightenment, the people were not under the necessity of having such a privilege. Mufassal is not what Calcutta is, and therefore in mufassal a special privilege was given by sub-section 3 that educational qualifications, irrespective of any property qualification, would entitle a person to vote, and therefore, the word 'occupation' should not have been so strictly construed as it has been done by this circular, for if that were the intention of Government to insist on exclusive occupation as of right it would not have at all embodied such a sub-section which can have no practical application. Then, My Lord, Your Excellency will observe that in every section it is said 'owner or occupier; and the legislature of 1884 distinctly meant to bring in a distinction between rightful possession and possession of some different kind. I do not mean merely possession by sufferance. I may not draw out the distinction but I do feel that there is some distinction between the occupation of a son and that of a stranger in the house.

Then, My Lord, I have only one word to say with reference to the expression which fell from my friend, the Hon'ble Maulvi Abul Kasem. He is a graduate of the Calcutta University and a highly cultured gentleman. He should have never taken exception to my expression 'if Mahomet does not come to the mountain, the mountain must come to Mahomet'. That expression has got currency in the English language and is understood to mean that if a person who ought to yield does not yield, then the higher body will yield. I never meant any offence to my hon'ble friend and it was never my intention to hurt his feelings. I hope my hon'ble friend will excuse me if I have offended him. The expression is a common one and it is always understood by people in the sense I have used it.

In conclusion, I would only say one word. There is no knowing when the Municipal Act may come in for amendment. I have already said that the general election of a large number of municipal bodies will come on within this year, and this circular will seriously operate upon these elections. I have already said that the Government, if it does not mean to be altogether reactionary, might explain these circulars. I do not want Government to cancel them, if it is offensive to the dignity and position of the Advocate-General, but it might say that it does mean that in the case of joint families, they may elect some person—some one among them for the voters' list—and in the case of students *in statu pupilaris* I submit that that circular, at all events, ought to make it plain that it does not mean that this 'occupation' must mean an 'occupation as of right' or that the possession should be exclusive possession. If the circulars are not binding Government had no business to circulate them amongst these municipalities when Government circulate these opinions they thereby indirectly bind these bodies to follow these circulars. If its object is not to abrogate the right that has been given to educated men in the mufassal, it ought not simply to issue these circulars and sit quiet and say that you can do whatever you like and go to the Civil Court or even to the High Court. In moving this resolution, I have approached the question in the spirit that the circulars may be so explained or modified as to give a due and proper interpretation

to section 15. Of course if the Government will not do this. I hope hon'ble members, who have heard me, will consider whether from the spirit in which I have approached it, it ought not to have been readily accepted by Government."

A division was then taken with the following result :—

Ayes—17.	*Noes—18.*
The Hon'ble Dr. Nilratan Sarkar	The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
,, ,, Mr. Provash Chunder Mitter	,, ,, ,, Satyendra Prasanna Sinha, K.C.
,, ,, Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.	,, ,, Mr. J. G. Cumming, C.S.I., C.I.E.
,, ,, Kumar Shib Shekhareshwar Ray.	,, ,, Surgeon-General W. R. Edwards, C.B., C.M.G.
,, ,, Babu Brojendra Kishore Ray Chaudhuri	,, ,, Mr. C. J. Stevenson-Moore, C.V.O.
,, ,, Dr. Deba Prasad Sarbadhikari, C.I.E.	,, ,, ,, J. H. Kerr, C.S.I., C.I.E.
,, ,, Rai Debender Chunder Ghose Bahadur.	,, ,, ,, J. Donald.
,, ,, ,, Radha Charan Pal Bahadur	,, ,, ,, L. S. S. O'Malley.
,, ,, Mr. E. B. Eden	,, ,, ,, F. A. A. Cowley
,, ,, ,, E. A. Martin.	,, ,, ,, W. C. Wordsworth
,, ,, Maulvi Abul Kasem	,, ,, ,, C. F. Payne
,, ,, Mr. Altaf Ali.	,, ,, ,, E. B. H. Panton.
,, ,, Rai Sri Nath Ray Bahadur	,, ,, Rai Priya Nath Mukharji Bahadur, I.S.O.
,, ,, ,, Mahendra Chandra Mitra Bahadur	,, ,, Mr. J. Mackenzie
,, ,, Babu Surendra Nath Ray	,, ,, ,, W. H. H. Arden-Wood, C.I.E.
,, ,, ,, Kishori Mohan Chaudhuri	,, ,, ,, F. W. Carter, C.I.E.
,, ,, ,, Ambika Charan Mazumdar	,, ,, Sir A. Birkmyre, K.C.
	,, ,, Khan Sahib Aman Ali

The following member abstained from voting :—

The Hon'ble Babu Mahendra Nath Ray, C.I.E.

The following members were absent :—

The Hon'ble Mr. T. C. P. Gibbons.

,, ,, ,, C. H. Bompas.

,, ,, Ihtisham-ul-mulk Rais-ud-Daula Amir-ul-Omrah Nawab Sir Asif Qadr Saiyid Wasif 'Ali Mirza Khan Bahadur Mahabat Jang, K.C.S.I., K.C.V.O., Nawab Bahadur of Murshidabad.

,, ,, Sir Rajendra Nath Mookerjee, K.C.I.E.

,, ,, Mr. Aminur Rahaman.

,, ,, Raja Hrishikesh Laha, C.I.E.

,, ,, Mr. R. Glen.

,, ,, ,, Arun Chandra Singha.

,, ,, ,, H. R. A. Irwin.

,, ,, Dr. Abdulla-al-Mamun Suhrawardy.

,, ,, Mr. M. Ashraf Ali Khan Chaudhuri.

,, ,, Maulvi A. K. Fazl-ul-Haq.

,, ,, Babu Bhabendra Chandra Ray.

,, ,, ,, Akhil Chandra Datta.

,, ,, Mr. K. B. Dutt.

The ayes being 17 and the noes 18, the motion was lost.

Rai Mahendra Chandra Mitra Bahadur.

LIST OF BUSINESS—ITEM No. 11.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR moved the following resolution :—

This Council recommends to the Governor in Council that a committee of officials and non-officials be appointed to investigate the heavy economic loss sustained this year by the jute cultivators in Bengal, and to devise ways and means to prevent distress among them.

HE said :—

"My Lord, in moving this resolution I think it necessary to go into some detail about the jute industry of Bengal. It is an industry of which Bengal has a monopoly. In the early eighties experiments were made in jute culture in Egypt, and in the *Dundee Trade Report* of March 23rd, 1881, the following statement appeared :—'Some samples of jute grown in Egypt are being sown here. Reports on quality are varied ; but considering it is a first attempt, on the whole satisfactory.' But the project does not appear to have gone much further, no doubt on account of the cost of labour making the cost of production impossible. In Bengal they had suggested cotton bagging for coffee in place of jute ; but so far nothing practical has eventuated. In India itself jute has not been a success, excepting in the districts of Bengal. The history of the rapid development of the industry reads like a romance—jute cultivation to-day rivalling rice-cultivation in the Province. During the opening years of the nineteenth century the agricultural product jute was limited to supplying the wants of small handloom industry. The export of the raw material was unknown. The value of said jute exported in 1829 was approximately £500 ; in 1913 it was close on £20,000,000. In 1855, a beginning in spinning and weaving was made in Calcutta and the first mill was erected at Rishra on a piece of land at present occupied by the Wellington Mills. It produced an outturn of some eight to ten tons a day. At the present time there are some forty-six mills on the River Hooghly with a total of close on 40,000 looms, employing very nearly a quarter of a million Indian labourers, having a capital of over £13,000,000 (including debentures and reserves), and using three-quarters of a million tons of coal per annum. The outturn of the manufactured articles which was about 8 tons per day in 1885 is, in normal years, 3,000 tons per day, or nearly four times as much as Dundee produces. The following list of jute-spinning and weaving mills taken from Mr. McLeod's paper read before the Indian Section of the Royal Society of Arts is approximately correct and will show the importance of this great industry :—

United Kingdom	30
Germany	36
Austria-Hungary	17
France	32
Italy	25
Belgium	23
America	16
Russia	7
Sweden	5
Denmark	2
Switzerland...	2
Holland	2
Brazil	2
Norway	1
Rio	1
Argentine	1
Total ...	202

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In 1874, Sir George Campbell, the then Lieutenant-Governor of Bengal, advocated the prohibition of the export of rice from Bengal during famine. When confronted with the argument that such prohibition might drive foreign purchasers to Burma for good he replied that he doubted very much if such effect would really be bad. 'Our Bengal Province', he said 'are so densely populated, and they produce so many valuable articles sought for in commerce, that the difficulty is not to use our land, but to find land for all that it is desired to grow without interfering with the food of the population. The demand for jute seems to go on increasing without limit'. The exports of raw jute, given in thousands of rupees, was in 1910-11 no less than 15,48,99. The next year saw a rise to 22,55,66. In 1912-13, we find 27,05,07. And the next year saw a swelling up to 30,82,64. As for gunny bags—1910-11 it was 8,56,40, and in 1914-15, 12,59,44. An agricultural product which gives the people of the Province such an income deserves special care and attention. Not only does the industry bring the peasant 20 to 30 millions sterling annually, but it supports in addition something like a quarter of a million factory operatives and their dependants. It has created busy lives of human labour like Naraingunge where huge godowns line river banks either side, tin-roofed, red-bricked, ugly with all modernity—tall chimneys towering behind them and huge cranes swinging on the landing stages—the river alive with craft and boats of every size anchored against the banks. That the Government has not been slow to recognise the importance of this industry will be evident from the endeavours of the Agricultural Department which are worthy of praise. The Department has been busy producing and distributing good jute seed. And it has rendered practical service by the investigation of what is known as 'heart damage' in baled jute, a mysterious process of deterioration which causes an entire loss of *tensile* strength. Though the cry is that jute is displacing rice to a dangerous extent the people have not desisted from increasing the area under jute. Because when there is a struggle among the more valuable staples, the rice export is only valuable in so far as it gives us a surplus to fall back upon in times of scarcity; and because with the extension of railways it is neither easy nor advisable to check the increase of the area under jute and oilseeds and its encroachment upon rice land.

The war had dealt this industry a heavy blow—Germany and Austria-Hungary were two of our most important customers. The export of raw jute to these countries (in thousands of rupees) were as follows :—

	1910-11.	1911-12.	1912-13.
Germany	3,61,24	5,08,59	5,73,06
Austria	90,60	1,32,55	1,65,04

In 1913-14, the figure for Germany was 6,74,84 and that for Austria-Hungary 1,97,91. Then the war broke out and there was a drop.

In 1914-15 Germany could take only 1,32,14 and Austria-Hungary not more than 50,86. But that was not all. The war dislocated trade and the difficulty about freight told heavily upon the export trade of India. That year the United Kingdom took only 6,74,30 worth of jute in place of 11,73,95 of the previous year and France not more than 85,66 in place of 3,06,76. The total export of raw jute fell from 30,82,61 to 12,91,02. Since then the export to the enemy countries has been stopped and increased difficulty of transport has diminished export to others. But the area under jute has not decreased proportionately. The total average in 1915-16 was 2,086,300, the normal area in Bengal being not

Rai Mahendra Chandra Mitra Bahadur.

more than 2,643,800. In 1916-17 instead of a decrease, there seems to have been a tendency towards increase. In Nadia the area was 67,200 against the normal 19,400. In Khulna it was 22,100 against a normal of 18,300. In Midnapore it was 12,100 against 10,400. Thus a large surplus is growing up which is a drag of the market and which is forcing down the price of jute. Here I would like to mention that with the growing demand of jute the cost of production has increased considerably. And I remember how at the Annual General Meeting of the Indian Jute Mills' Association (January 1915) the Chairman alluded to the danger due to a rise in the price. He discussed the proposal of levying an export tax on jute to supplant German and Austrian trade and said—'Whatever else the Germans may be they have already shown signs of chafing under the excessively high prices that have in recent years ruled for a commodity whose principal claim to popularity is its cheapness'. Not only has inferior land been brought under cultivation, but the rate of rent has gone up. Mr. Chaudhuri had about five years back estimated the cost of production at Rs. 3-8 a maund; but now it is probably over Rs. 4. Sir William Duke has pointed out how, with the extension of cultivation, hired labour was more and more being resorted to, the price of such labour in Bengal now being pretty high. The rates in the neighbourhood of Dacca and Serajgunj had recently been as high as a rupee a day. Thus the price that the cultivator can now get for his jute barely comes the cost of production. But he cannot find customers for his entire production. This is a serious state of affairs. The tocsin of alarm was sounded long ago by organs of public opinion like the *Basumati* and *Sanjibani*. And recently *Capital* has given 'a timely warning' to Your Excellency's Government. I will quote an extract from *Capital*—'The jute crop for the present season will be far in excess of any possible demand, and it is of vital importance that the mills should consume every maund of jute possible. The annual jute mill consumption, when running full time, is from 55 to 60 lakhs of bales of 400 lbs. net each, etc., etc., etc. The mills began the new season (1st July) with an average stock equal to six months' short-time consumption. This represents about the maximum quantity for which they have godown accommodation in Calcutta and the mufassal. The forecast recently to hand estimates crop at 90 lakhs of bales, although private advices make it still larger, and if the mills by 1st July 1918 are in the same position as this year, *i.e.*, with six months' stock, there will still be 45 lakhs of bales to be disposed of, less quantity exported. It behoves the Bengal Government to take timely warning and to do everything in their power to prevent distress in Bengal among the cultivators. We need scarcely point out how much more serious the political unrest will become otherwise.'

My Lord, since I submitted the resolution my worst apprehensions have turned out true. Every morning we get disquieting news of looting in the mufassal bazars. I have heard a proclamation issued by Mr. F. A. Sachse, District Magistrate, Noakhali, in which to preclude the possibility of looting in the bazars, he has penalised the holding of *hâts* after 3 P.M. He has openly admitted that as long as the war continues prices will remain high and there is the chance of looting recurring in the bazars. And as it is impossible to station armed police in all bazars he orders, under section 144 of the Criminal Procedure Code, the closing of all bazars at 3 P.M. This, my Lord, is a serious state of affairs. And I am sure it is receiving that consideration from Your Excellency's Government which it demands. But I must say that though our police may be powerful enough to restore tranquillity in disturbed areas they will not be able to eradicate the possibility of a recurrence of disturbance as long as they have to deal with that dangerous element—a poor peasantry subject to hunger and exasperation. Not only should these poor peasants be relieved of their present distress; but steps should also be taken to induce them not to give up the cultivation of jute in despair. True who had reckoned on an earlier peace? But the war cannot be indefinitely prolonged. And when normal conditions return there will

be the same increasing demand for jute and then the cultivators of Bengal will reap a golden harvest which will obliterate every scar.

My Lord, I will not pause to discuss *remedial* measures. Agricultural loans have, in times of distress, acted like April showers on the thirsty earth. The Co-operative Credit Societies are now trying to reduce and ultimately to remove agricultural indebtedness. Their sphere of usefulness may be extended. I am aware of the tender solicitude the Government has always evinced for the peasants. I recall, with pleasure, Lord Curzon's words about 'the real people of India':—'It is the Indian poor, the Indian peasant, the patient, humble silent millions, the 80 per cent. who live by agriculture, who know very little of policies, but who profit or suffer by their results, and whom men's eyes, even the eyes of their own countrymen, too often forget, to them I refer. He has been in the background of every policy for which I have been responsible, of every surplus of which I have assisted in the disposition. We see him not in the splendour or the opulence, nor even in the squalor of great cities; he reads no newspapers, for, as a rule, he cannot read at all; he has no policies. But he is the bone and sinew of the country, by the sweat of his brow the soil is tilled, from his labour comes one-fourth of the national income, he should be the first and the final object of every Viceroy's regard.' I know the interest Your Excellency takes in these peasants 'the real people' of Bengal whom you have visited in their humble huts observing them in their hours of careless relaxation and enquiring after their needs. And I hope my proposal to device means to prevent distress among them will find favour with Your Excellency as also with my colleagues who are directly interested in them and whose greatest ambition it is to serve them with a view to ameliorate their condition."

The Hon'ble Mr. Mackenzie said:—

"My Lord, my hon'ble friend, the mover of this resolution, has treated us to a history of the jute trade. I have listened to it with interest but most of it is quite irrelevant to the question before the Council. I notice he is very partial to Committees of Enquiry having proposals for no less than three such committees on the list of business for to-day. He has evidently much greater faith in the efficacy of such committees than I have. The impression I have formed is that most of them are a mere waste of time and I do not think the one he now suggests would prove to be any exception. It seems quite unnecessary to appoint a committee to inquire into causes which are obvious and, as the mover has himself shown, the reasons for the present dullness in the jute market are not far to seek. The whole of the Central European market is closed, freight for such markets as are still open is distinctly limited, while the local mills with the best intentions in the world are unable to deal with the balance of the crop for the very good reason that practically every square inch of the available warehouse accommodation is occupied.

The mover has drawn a harrowing picture of starving cultivators but it is quite incorrect, according to my information, to say that the heavy economic loss referred to in the resolution has been by any means general. In the Eastern districts, at all events, quite a considerable portion of the crop was disposed of early in the season at satisfactory prices and although later there may have been a decline it has been counterbalanced by a large yield per acre. In certain other districts however such as Northern Bengal, Rungpur, Rajshahi and the Daisee districts a combination of a poor crop and low prices has resulted in a certain amount of hardship.

The whole situation however has been greatly ameliorated by a bumper crop of rice and I do not think there is any reason to apprehend any widespread distress although you will hear all about it the moment the cultivator gets to know that a committee has been appointed to inquire into the matter.

Babu Kishori Mohan Chaudhuri; Babu Brojendra Kishore Ray Chaudhuri; Mr. Provash Chunder Mitter.

I think it will be quite sufficient for the present if District Officers are instructed to carefully watch the position.

In this connection it might not be out of place to mention that Government are offering throughout the whole of the districts profitable employment in various Labour and Porter Corps for Mesopotamia and elsewhere and the fact that very few recruits are coming forward would hardly seem to indicate that the cultivators are in the condition described by the mover. At all events if they do not choose to avail of the opportunity of employment offered them it is difficult to see what more Government can do."

The Hon'ble BABU KISHORI MOHAN CHAUDHURI said :—

"My Lord, I think a Government inquiry is needed. There is no doubt that the jute market is dull. It is not possible to have a large export at present. The question is how the materials can be utilized. The jute growers did grow jute in the hope of getting better prices just after the conclusion of the war. The price of gunny-bags, which are used for carrying paddy and rice, has gone very high. What is the reason for this? Is it on account of the labour question or is there any difficulty for the manufacture of these gunny-bags in the jute mills? Jute itself is very cheap, but the price of gunny-bags is very high. There is a great demand for these bags no doubt. So, I think that an inquiry by the Government as suggested by the Hon'ble Mover may do some good, and in that view I support the resolution."

The Hon'ble BABU BROJENDRA KISHORE RAY CHAUDHURI said :—

"My Lord, as representative of the landholders of the Dacca Division, which is well known to be the chief jute growing part of the Province, I feel it my duty to support this resolution. As an eye-witness I can well say that the distress of the jute growers has been such that the well-wishers of the cultivators must immediately step forward and do all that is possible under the existing circumstances. I know how the Government are anxious to help the poor raiyats and I feel sure that in this instance their case will receive the unstinted support of this Council. With these few words, I beg to support this resolution."

The Hon'ble MR. PROVASH CHUNDER MITTER said :—

"My Lord, I desire to say a few words on this resolution, and I may say at the outset that my reasons are perhaps not the same as those of my hon'ble friend, Rai Mahendra Chandra Mitra Bahadur. The economic condition of the raiyats in Bengal are well known. They get their money by the sale of jute and by the sale of paddy. By this money they have to buy their *dhooties* and their salt which are imported into Bengal. On account of the war and to nobody's fault and on account of the difficulty of tonnage, the price of both these articles has gone up very high. It is but natural that the cash value of jute and of paddy has gone down. The principal market available here is the local jute mills; they manufacture only a certain quantity of jute, and therefore it is no use saying that they ought to buy more. These being the conditions of the market it follows that the price has gone down. On the other hand, the effect on the low price of jute and paddy means that the raiyats have less available cash to buy their necessaries and the result is an economic difficulty in various parts of this Province. We already hear of the looting of *hâts* and bazars in some of the outlying districts of Noakhali, Bakarganj and Rangpur, and I for one feel that unless Government look into the matter very carefully, perhaps further difficulties may have to be faced in future. I do not think that the best way to deal with the question will be by the appointment of a committee, as has been suggested by my

hon'ble friend; but I should like to impress upon Your Excellency's Government—and I have no doubt Your Excellency's Government are already impressed with that fact—that the question requires consideration, and the only way that the question can be properly considered is by way of friendly co-operation between the only market available, viz., the local jute mills and the jute-growers. The other question is how to make it possible for the raiyats to buy their necessaries for the lowest possible amount. The economic questions are so intermixed with one another that an inquiry seems desirable, but for the present that inquiry should be instituted by Government, taking such evidence formally and informally as the Government think fit."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

"My Lord, the question raised seems to be one of extreme difficulty; it is a question of supply and demand. Bengal is able to put forth much more than either India or England can consume. It had a market outside the Empire and that market has been closed. I do not see how the Government can tackle a question like this directly. Of course, I fully support my friend's resolution that a committee of enquiry be appointed to investigate into the causes of the low prices of jute and the difficulties with which the cultivators are confronted; but, my Lord, it seems to me that the difficulties of the raiyats are not simply owing to the fall in the price of jute, but also to a corresponding rise in other articles of food and use. I know it is the complaint of the jute-grower that he cannot purchase a pair of cloth for one maund of jute that he brings to the market, and the price of salt—the most ordinary article of consumption—has also gone up; so that it seems to me that it is high time for Government in connection with this resolution to intervene for regulating the prices of various articles of food as well of use. Although no means can be devised for the consumption of more jute, still an enquiry might be made to show, through the Agricultural Department of Government, to the raiyats that it is not wise to grow as much jute as they had been growing before. More economical persons might also resort to the practice of burning excess articles and thereby keeping up the market. Whatever that may be, it seems to me that an enquiry ought to be held, if not actually to help the raising of the price of jute, at least for the purpose of regulating the quantity that might be produced in Bengal. To suit the exigencies of the situation, some steps might be taken to regulate the prices of other articles and thereby relieve to a large extent the difficulties of the jute-growers who are unable to tide over their difficulties with jute."

The Hon'ble MR. CUMMING said :—

"Sir, the purport of the resolution is that a committee of officials and non-officials be appointed to investigate the heavy economic loss sustained this year by the jute cultivators in Bengal, and to devise ways and means to prevent distress among them.

The great importance of the jute industry needs no comment, and the Hon'ble Mover and other Hon'ble Members have pointed out how far it is bound up with the agriculture of Northern and Eastern Bengal. The reason for the present condition can be explained in one word, namely, the effect of the war; and I do not think that a committee is required to find out that very prominent truth. Now the elucidation of economic problems is a very interesting and important matter and in connection with the jute cultivation and the jute industry within the last three years there have been most elaborate and detailed enquiries made by this Government;

Mr. Cumming.

in 1913-14 there was one; in 1914-15 there was one; last year, 1916, there was one; and there has been a continuous enquiry since the beginning of the present year up to the present moment. I do not think therefore that Members of Council or the Hon'ble Mover need be under any apprehension that the Government are not keeping a close attention to the situation. But the main issue in this resolution is whether there is such distress as to require State relief. It is known that State relief was given in 1914, when similar circumstances arose. I shall endeavour shortly to explain the circumstances in the present year in comparison with those in 1914. But I will say at once as regards this main issue—the question whether such distress exists as to require State relief—that it is clear that the existing machinery of Government should suffice to bring that to the notice of Government. I agree with one of the Hon'ble Members, who does not think that a committee of this kind would achieve any good, because the main point is already known to Government and all the economic data are already in the possession of Government. So far no officers have represented to Government that the condition is such as to require the special measures that were adopted in 1914. It is quite obvious that there has been a loss this year compared with what the cultivators might have got if they had a good market; but I have had personal experience in the matter of jute cultivation for over a quarter of a century and I can say that Eastern Bengal raiyats are fairly alive to the fluctuations of the jute market; they take the mishaps of a year with a good deal of philosophy and they are only too ready to redistribute their arrangements in subsequent years. I said that the present situation may be compared with that in 1914 when, it is true, Government did take measures. I shall put the comparison under a few heads and I shall be very brief under each.

First of all, in comparison with 1914, the increase in the area since last year is very much less than the increase in the area was in 1914 after 1913; that is a material point. In the next place, the average price per maund this year is 25 per cent higher than it was in 1914. Then, this year the raiyats have had a fair warning. The fall came in 1914 with dramatic abruptness. This year the fall has been gradual and continuous since the month of January last. Furthermore, the raiyats have learnt wisdom. During the very prosperous years before 1913 the raiyats were becoming rather indolent and getting their work done by means of hired labour. In the present year they have put their shoulders to the wheel more, and have realised that they must do more work themselves and depend less upon hired labour. Another important matter is as regards the amount of crop that has been disposed of and brought into Calcutta. In the present year the proportion of the gross crop brought into Calcutta by the middle of the current month of December was about 26 per cent., whereas in 1914, the proportion of the crop of that year that had been brought into Calcutta was only 18 per cent.

I think, Sir, that if all these points are considered together it will be realised that economically the raiyats in Bengal who cultivate jute are better off this year than they were in 1914. But it does not follow that the matter does not require very careful consideration. Government have kept their eyes wide open for danger signals, and although they are not prepared to say that, on account of the factors that have been mentioned in the course of the debate, viz., the increase in the price of wearing materials and salt—which is of course due ultimately to the same difficulty of overseas tonnage—the position is dangerous, yet so far, in the areas in which jute is most grown, no clear indication has been given to Government that the raiyats require relief at the expense of the State. In fact, I may be pardoned for wondering why the Hon'ble Rai Mahendra Chandra Mitra Bahadur, representing the Burdwan Division in Western Bengal, should feel called upon to bring this resolution before the Council. His Division, I find, gives this year an outturn of about 70,000 maunds out of a total 2⅓ millions of

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in the whole of Bengal. I do not, of course, lay any stress hat. I again say that Government is keeping the situation well them; they have been continually examining and re-examining tter since the month of July last; and while there is always a ity of adopting the measures of relief which were given in 1914, a possibility also of adopting the measures of relief such as those ed by the Hon'ble Babu Ambika Charan Mazumdar. These are owever of which the Government are well aware; but I doubt very whether a committee can give us much assistance. On these s that Government have the economic data in their possession and are very close attention to the situation. I trust the Hon'ble Member will way to withdraw the resolution."

on'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said:—

ly Lord, in putting this resolution before the Council, it was my object oint a committee to investigate into the causes of the economic loss ed by the jute cultivators in Bengal. I put before the Council all the ation I have obtained on the subject, and when I am assured that s have already been made on the subject and Government are quite s regards the subject matter in discussion, I beg to withdraw the ion I have brought forward."

e resolution was then, by leave of the President, withdrawn

LIST OF BUSINESS—ITEM No. 12.

on'ble RAI MAHENDRA CHANDRA MITRA BAHADUR moved the following resolution:—

is Council recommends to the Governor in Council that a committee pointed consisting, amongst others, of the Commissioner of the an Division, the Collector of Hooghly, the District Magistrate of h, the Subdivisional Officer of Uluberia and the Executive Engineer, rn Drainage and Embankment Division, to examine the water courses villages of Gazipur and Sonamukhi in thana Amta, Kandarpapur or , Jot Bireshwar, Latibpur and Khanpur in thana Bagnan, in the district rah, where many thousands of acres of paddy fields are still under deep causing heavy damage to the winter rice crop, and also to devise means ining out the water from these fields as early as possible, and to take eps as may be necessary for the prevention of similar devastation future.

l:—

My Lord, I need not detain the Council long on this matter, as the ion speaks for itself. On a previous occasion I asked a question about ice in the Damodar left embankment in mauza Gazipur. In reply old that there was only one vent, and its size was given as 2 feet by 3 inches. It was used previously for purposes of irrigation when the vere drained through other channels which have now silted up. The ltivated area in the village of Sonamukhi was given as approximately bighas and that in Gazipur as 1,500 bighas. It was admitted that the of Sonamukhi is occasionally drained through this sluice. I need tell Your Excellency that the existing arrangement of draining out ater from paddy fields as referred to in the resolution is very unsatis- and calculated to cause heavy damage to the crop.

om the reply given by Mr. C. Addams-Williams, the Executive er, Northern Drainage and Embankment Division, in his letter 09, dated the 4th March 1908, to the Secretary, Hooghly and Howrah

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District Association. I noticed that in July 1899, in September 1900, in September 1901 and in July 1905, several mauzas in the Amta basin were all submerged in water and there were no crops. The average annual yield of crops in 1906 was about three-fourth but in 1907 it was only one-eighth.

Again, in reply to my question asked at the Council meeting of September last, regarding the annual outturn of winter rice during the last few years, I was told that during two years, the peasants got a quarter crop, during two more years an one-eighth crop and during three years they had none.

Your Excellency who takes a keen interest in the poor cultivators will now understand that the extent of injury sustained by the raiyats is 'beyond human belief.'

The other day, Sir James Meston, while reviewing the work of the Agricultural Department of the United Provinces during the past year, did not conceal his conviction that 'in its days of prosperity the Government devoted far too small a share of its surplus revenues to the development of India's first and greatest industry,' and His Honour trusts that this error will not be repeated. The above remarks apply to Bengal as well.

To solve the economic problem that lies at the root of all reforms, we should go out into the real Bengal and must discuss the question from remote unofficial places with the children of the soil who suffer most from the floods. We should adopt the method of seeing and understanding the crying wants of the teeming millions whose interests are the crux of all problems. They live in lands full of promise and loyalty, but fuller still of the oppression of the *mahajans* and natural but preventable calamities.

The supply of water from different sources is so ample that 'the crops are immune from failure due to drought,' but on the other hand they very often suffer from floods causing ravages and devastations.

In 1873, Colonel Haig, Chief Engineer of Bengal, was deputed to make an engineering survey and he strongly recommended, among other things, the Amta scheme.

My friend, the Hon'ble Mr. O'Malley, has rightly observed in his valuable treatise, the Gazetteer of Howrah, from which I cannot help quoting the following paragraph :—

> 'The completion of the entire project for the drainage of the district by carrying out the Amta scheme proposed over 30 years ago appears desirable on many grounds. It would not only add hundreds of acres to the cultivated area and improve thousands of acres of low lands—an important consideration in a district which does not raise enough food for its consumption. It would also drain a water-logged locality in which malarial fever threatens to be endemic, owing to the stagnant water being the breeding ground of the malaria-bearing anopheles mosquito. In its present state, moreover, the waters flooding the Amta basin not only damage the Amta crops three or four years out of every five, but also threaten to swamp the western part of the Rajapur basin.'

In Bengal Government Resolution No. 875, dated the 3rd July 1906, it was observed that the Board of Revenue were 'disposed to agree with the Government that a standing committee for each district, including the Commissioner of the Division, the Superintending Engineer, the Collector of the district and the Executive Engineer might, with advantage, be constituted. Such a committee would bring the civil officers and professional officers into closer relation, and proposals started by the former or the latter would be discussed without the delay inevitable to correspondence.'

This was written with respect to Orissa, but 'the general principle that the Engineers and the Revenue Officers should work in conjunction applies everywhere.'

Mr. Cumming.

'It is also very desirable that the Engineer and Revenue Officers should discuss locally suggestions for minor irrigation schemes or for improvements in drainage, and that landholders interested should join in the discussion.'

It was resolved by Government and was therefore directed that standing committees shall be formed for all districts. The committees to be constituted as under :—

President	The Commissioner of the Division.
Vice-President and Secretary	The Collector of the district.
...	The Superintending Engineer in whose Circle the district lies. The Executive Engineer in whose Division the district lies. The District Engineer. Such landholders or other gentlemen directly interested in any schemes as may be appointed by Government on the recommendation of the Collector and with the approval of the Commissioner.

The committees will consider questions relating to—

I.—Flood embankments—

(*a*) New works, including as such sluices or escapes for existing embankments.

(*b*) Alterations in the alignment of existing embankments, such as are caused by important retirements. This will include the discussion of the policy of holding a threatened bank by protective works in preference to the retirement of the embankment.

(*c*) Proposals for raising the level of the crest of an embankment.

(*d*) All questions in which there is any doubt as to the interpretation to be given to the provisions of the Embankment Act or of contracts for the maintenance of embankments.

II.—Any proposal which may be suggested for a minor irrigation work.

III.—Any scheme which may be proposed for improvement in drainage.

IV.—Any matter referred by Government for opinion.'

I, therefore, earnestly request Your Excellency that a committee be appointed to examine the condition of the locality and suggest means for the proper drainage of rain water from these fields as early as possible to prevent further distress among the cultivators."

The Hon'ble Mr. Cumming said :—

"Sir, the Hon'ble Member has brought forward a resolution that a committee should be formed of certain members to examine a certain area in the south of the Howrah district in order to devise means for draining out water from that area. My answer to the hon'ble gentleman is that not only have means been devised for this particular area in question, but that the whole of the Amta basin has been the subject of examination, that a scheme, the estimate of the cost of which is nearly 10 lakhs of rupees, has been prepared, and that at the present moment it is simply a question of funds which blocks the way. I do not wish to burden the Council

with too many details, but the exact position may be realised if I could mention one or two facts regarding this Amta basin drainage scheme. It was suggested in the press only about a month ago that no serious attempt had ever been made to tackle this problem. This is a most inaccurate and unfair statement. As long as forty years ago, Government prepared three drainage schemes for the Howrah district, viz., the Howrah scheme, the Rajapur scheme and the Amta scheme, and it was then contemplated that all would be carried out one after the other. The Howrah scheme was completed as long ago as 1884, the Rajapur scheme in 1890, but the Amta scheme has still not yet materialised; and the people of the Rajapur area have complained very bitterly—and also with a great measure of truth—that they are suffering because the Howrah scheme has not been completed. Now an improvement of this nature, not only in these six villages to which the Hon'ble Mover refers, but also in the whole of the basin, can be carried out under certain Acts. Under the Embankment Act the decision as to the improvement lies with Government, but the Act is unpalatable to the zamindars because there is no procedure for recovery from the tenants. Then, there is the Drainage Act, under which it is possible to recover, through the certificate procedure, from tenants. It is a very democratic Act under which Drainage Commissions are appointed; and theoretically there should be no difficulty if the people concerned are genuinely anxious to have the improvement effected; but the law lays down that at least the holders of half the land to be reclaimed should assent, in writing, to the adoption of the scheme. Now, no fewer than four times have the landlords rejected the scheme under the Drainage Act. In the past estimates were made which failed because they were too big; one estimate was as high as 12 lakhs of rupees. The estimate of a gentleman, whom we all recognise in Bengal to be a master in hydraulics, Mr. Addams-Williams, is, as I have stated, nearly 10 lakhs (Rs. 9,80,000). In January 1915, the leading landlord, at a meeting, plumped for the Drainage Act, but he was not supported by holders of half the land in the area in question; and far from making no serious attempt, Government, in absolute despair, said that they would take up the scheme under the Embankment Act. The proper procedure was carried through and in the middle of last year the case come up for orders; but the performance of the scheme has been held over owing to financial reasons. The Hon'ble Mover realises—and I hope all Hon'ble Members realise—that in any problem of this nature, there is, first, investigation of the facts; the next procedure is the enunciation of the problem; the third procedure is to find a solution for the problem; and the last stage of all is to apply the solution. Well, Sir, the first three of these procedures have already been carried out and number four only remains. That being so, I appeal to the Hon'ble Mover and ask him for what purpose would this committee sit. I therefore desire to oppose the resolution, as it stands, on the grounds, first, that it affects only a very small area and that in the next place, all information required has been carefully compiled by the Irrigation Department—that means that the solution of the problem has already been found; and that the only obstacle being money, this committee, however enthusiastic, would not effect any remedy as far as that difficulty was concerned. For these reasons, I desire to oppose the resolution; and to add that the scheme has already been approved by Government and is only awaiting funds."

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR said:—

"My Lord, I have listened with great attention to the speech of the Hon'ble Member in charge and as I feel for the raiyats who have appealed to me for putting the resolution for the consideration of Your Excellency's Council, I came forward with a resolution like this. Year after year these raiyats are suffering much and when the question is that all matters in

connection with the scheme have been inquired into, but that the work has not been taken up on financial grounds—what answer have I to give to it. I feel for the raiyats and I have come to Your Excellency for redress and when I find that the work cannot be taken up on financial grounds, I have nothing to say. Therefore, I think it advisable to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 13.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur asked for leave to withdraw the following resolution which stood in his name :—

This Council recommends to the Governor in Council that a committee of officials and non-officials be appointed in each district to examine the condition of village roads in the districts of Howrah, Bankura, Birbhum and Midnapore, and to submit such recommendations to the Commissioner of the Burdwan Division as they may consider necessary for the improvement of those roads.

The resolution was, by leave of the President, withdrawn.

ADJOURNMENT OF COUNCIL.

The Council was then adjourned to Tuesday, the 22nd January, 1918, at 11 A.M., at Government House, Calcutta.

A. M. HUTCHISON,

Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA ;
The 5th January 1918.

B. S. Press—24-1-1918—2651J—350—R. F. and others.